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I. Statement of Policy

The Land Trust Accreditation Commission's values include integrity, accountability and service. In keeping with these values, the Commission is committed to operating a credible accreditation program that fosters public accountability for accredited land trusts and the Commission.

The Commission requires that accredited land trusts continuously conform to Land Trust Standards and Practices and program requirements. The Commission may receive information about an accredited land trust's compliance with the accreditation indicators or program requirements in several ways.

â€¢ Accredited land trusts are required to notify the Commission in writing of any major changes in their structure or operation that could potentially affect their intent and ability to comply with Land Trust Standards and Practices or program requirements.

â€¢ The public may submit signed, written comments that document an accredited land trust may not be in compliance with Land Trust Standards and Practices or program requirements.

â€¢ The Commission may ask land trusts for additional data on their activities at any time during the term of their accredited status and may also receive and compile information from other sources.

It is beyond the authority or role of the Commission to intervene in internal disputes within accredited land trusts, disputes between land trusts, and disputes between land trusts and other individuals or agencies. The Commission's responsibility is limited to accredited land trusts and those that are applying for accreditation. It does not respond to comments regarding land trusts that are not accredited or that do not have applications pending.

The Commission follows the process outlined on its website for accepting comments from the public on applications that are pending before the Commission. The procedures described in this Compliance Confirmation Policy and Procedures clarify how the Commission will respond to and evaluate information regarding an accredited land trust's compliance with Land Trust Standards and Practices or program requirements. Decisions made in accordance with this Compliance Confirmation Policy and Procedures are made solely at the discretion of the Commission.

II. Compliance Confirmation Procedures

Refer to section C. for procedures related to an accredited land trust's report of a change in its structure or operations (such as a merger with another organization).

A. Evaluating Information Received on Potential Noncompliance

1. The Commission can receive information suggesting an accredited land trust may not be in compliance with Land Trust Standards and Practices or program requirements from a variety of sources, including but not limited to:

- a. Information provided by the accredited land trust;
- b. Information provided by the public or publicly available information; or,
- c. Research or other information provided by a representative of the Commission.

2. In order for the Commission to evaluate a potential noncompliance concern, it must be attributed and in writing, regardless of its source. Anonymous submissions will not be considered. The written information should contain as much detail as possible about the circumstances that form the basis of the concern and cite the relevant Land Trust Standards and Practices or program requirements.

3. When information about a potential concern is received, the executive director will make an initial determination of whether the concern contains issues relating to compliance with Land Trust Standards and Practices or program requirements.

- a. If the executive director determines that the information is not relevant to issues relating to compliance with Land Trust

Standards and Practices or program requirements, the information will be kept on file with the Commission for 5 years, but no further formal actions will be taken. The executive director may respond to the person with the concern and inform him/her that the concern is outside of the scope of the Commission's jurisdiction.

b. If the executive director determines that the information may be relevant, he/she will discuss the issue with the chair (or throughout this policy, vice chair if chair is unavailable) of the Commission. The chair and executive director will determine if:

i. No further action is required.

ii. Information needs clarification and how it will be clarified. Repeat step II.A.3.b with the clarified information.

iii. In the event that the land trust has or will soon have a renewal application pending, whether the matter should be referred to the application review team and not managed under these procedures.

iv. The information has come directly from the land trust, and whether the investigation will proceed as described in section II.B. or II.C below.

v. The information is from a comment or complaint from the public, and whether to take the steps outlined in sections II.A.4-6 below. (If the information is from other sources the procedures in II.B. are followed.)

4. If the determination is made in section II.A.3.b.v. to proceed, the executive director will contact the complainant or person with information on the potential noncompliance to request the following:

a. Additional documentation or corroboration, if needed.

b. A signed release (can be via email) allowing the written concern to be shared with the land trust in question and with other persons authorized by the land trust as necessary to fully investigate the concern. (Consistent with other Land Trust Accreditation Commission policies, the name of the complainant may be withheld from the written material forwarded to the land trust at the Commission's discretion if it determines that releasing the name would have adverse consequences for the complainant.)

5. If the person with the information does not comply with either request, no further formal action will be taken.

6. If a signed release is received, the Commission will acknowledge receipt of the release and take the actions outlined in section II.B. below.

B. Land Trust Response to Information

1. If a signed release is received or information suggesting noncompliance has come from the land trust itself, public sources or the Commission, Commission staff will provide the land trust sufficient opportunity to provide a written response to the noncompliance concern and/or to describe any actions the land trust is taking in response.

2. The executive director will provide a summary of the concern and the land trust's response to the Commission's executive committee.

3. The executive committee will review the summary at its next meeting or any special meeting called for this purpose and will take one of the following actions:

a. Decide that no action be taken and inform the land trust accordingly.

b. Authorize additional investigation to be coordinated by staff. Additional investigation may include, but is not limited to, Web or print research, documented interviews or phone calls, targeted questions for written response, site visits, etc. The executive committee may repeat steps II.B.1-3(a) and (b) as needed.

i. Information obtained from third party sources during the additional investigation stage will be provided to the land trust with the option for a written response and steps II.B.1-3 will be repeated.

c. Authorize expectations for improvement to be issued to a land trust and inform the land trust accordingly.

d. Recommend disciplinary action for consideration by the full Commission.

4. The executive committee must report its actions to the Commission. If the executive committee recommends disciplinary

action, the Commission will review a summary of the applicant's response and the recommendation of the executive committee at its next regularly scheduled meeting or at any special meeting called for this purpose, and will take one of the following actions:

- a. Decide to take no action.
 - b. Authorize additional investigation to be coordinated by staff. Additional investigation may include, but is not limited to, Web or print research, documented interviews or phone call, targeted questions for written response, site visits, etc.
 - i. Any information obtained from third party sources during the additional investigation stage will be provided to the land trust with the option for a written response and the response will be provided to the executive committee to repeat step II.B.2 and/or 3.
 - c. Decide to take disciplinary action following the Commission's Disciplinary Action Policy and Procedures.
5. If the applicant fails to provide the requested response by the deadline provided, the Commission may, at its next regularly scheduled meeting or at any special meeting called for this purpose, decide to revoke accreditation according to the Commission's Disciplinary Action Policy and Procedures.

C. Evaluating Information Received on Organizational Changes

1. An accredited organization is required to notify the Commission if it has changed its organizational structure or operation. The Commission will need to verify either at time of notification or at the time of accreditation renewal whether those changes are consistent with Land Trust Standards and Practices and program requirements. Generally, minor changes (e.g., change of organizational name or modest change in geographic scope) will be evaluated at the time of accreditation renewal. Major changes (e.g., merger with another group or acceptance of conservation easements as a new practice having only held fee heretofore) likely will require additional review prior to renewal to evaluate compliance.

2. When the Commission receives information about an organizational change, the executive director will make a determination if the change is major or minor and will notify the land trust if any additional information or action is needed at this time.

a. If the executive director determines that the change in structure or operation is minor or that a major change is implemented sufficiently close to the time of renewal, then the change will be evaluated as part of the renewal process. Written notification will be provided to the land trust acknowledging the change and indicating this course of action. The land trust may be required to provide supplemental information during the renewal process about the change.

b. If the executive director needs additional information to make a determination, he or she may seek clarification and/or documentation from the land trust and indicate the timeframe for the response. The executive director will review this information and determine whether to proceed as in indicated in (a) or (c).

c. If the executive director determines that the change in structure or operation is or may be major, then he or she may request documentation to verify compliance with Land Trust Standards and Practices and program requirements and indicate the timeframe for the response. Based on the information received, the executive committee will make a determination about whether the land trust is in compliance or further action needs to be taken. The land trust will be notified in writing of the Commission's decision. If the organization is determined to be noncompliant with Land Trust Standards and Practices or program requirements, then Part II.B.3.d. of this policy related to disciplinary action applies.

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