



LAND TRUST 
ACCREDITATION
COMMISSION

An independent program of the Land Trust Alliance

Accreditation Policies

for
Application Decisions, Appeals,
Compliance Confirmation, and
Disciplinary Action



Sound Finances
Ethical Conduct
Responsible Governance
Lasting Stewardship

Accreditation Policies

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INTRODUCTION

Note: *Blue italic* font indicates information about the term can be found in the Glossary.

About the Land Trust Accreditation Commission

The [Land Trust Accreditation Commission](#) (Commission) was incorporated in April 2006 as an independent program of the [Land Trust Alliance](#) (Alliance) to operate an innovative, voluntary accreditation program to build and recognize strong land trusts, foster public confidence in land conservation, and help ensure the long-term protection of land.

The mission of the Commission is to inspire excellence, promote public trust, and ensure permanence in the conservation of open lands by recognizing land trust organizations that meet rigorous quality standards and that strive for continuous improvement. (The use of “land trust” and “organization” are used interchangeably throughout this policy.)

About Land Trust Accreditation

The accreditation seal is a mark of distinction in land conservation. It is awarded to eligible land trusts meeting the highest national standards for excellence and conservation permanence. To be eligible, a land trust must be a U.S.-based 501(c)(3) tax-exempt public charity or quasi-governmental organization, have been incorporated for at least two years, and have completed at least two direct conservation fee or conservation easement acquisition projects.

Through a rigorous review process, the Commission verifies a land trust’s compliance with [Land Trust Standards and Practices](#) (*Standards*) by evaluating a sample of the practice elements within the *Standards*, which are called the *indicator elements*. The Commission may also consider a land trust’s disregard of any practice element in the Standards, even the *non-accreditation indicators*, if it could put the land trust at risk or threaten the credibility of the accreditation program.

- More information about the *application process* can be found in the [Applicant Handbook](#).
- More information about how the *indicator elements* are verified through the *accreditation requirements* can be found in the [Requirements Manual](#).
- More information about the practice elements, including *non-accreditation indicators*, can be found in the *Standards* and on the [Land Trust Alliance Resource Center](#).

This *Accreditation Policies* (Policies) document provides information about the Commission’s decision-making process for land trusts seeking first-time accreditation or renewal of accreditation. It also details the policies and procedures related to land trusts’ maintaining accreditation over their accredited term, including the types of organizational changes that require notice to the Commission. It includes the Commission’s procedures for confirming compliance, taking disciplinary action, and managing appeals. Throughout all the processes covered by the Policies, the burden of proof rests with the land trust to demonstrate, to the satisfaction of the Commission, that it meets the *Standards* and *Program Requirements*. The Commission’s decisions made in accordance with these Policies are made based on the information provided by the land trust before the time of the decision and are made solely in the judgment of the Commission in its role as an accrediting body.

I. APPLICATION DECISIONS

A. Statement of Policy

1. Overview

The Commission makes decisions on each application that has proceeded through the complete *application process*. The Commission's decision is based on whether the land trust demonstrates compliance with the *Standards* and the *Program Requirements*. Throughout the *application process*, the burden of proof rests with the land trust to demonstrate, to the satisfaction of the Commission, that it meets the *Standards* and *Program Requirements*. The Commission's decision is made based on the information provided by the applicant before the time of the decision and is made solely in the judgment of the Commission in its role as an accrediting body. (The use of "applicant" and "land trust" are used interchangeably throughout this policy.)

2. Term of Accreditation

The term of accreditation is for a period of five years for the first three terms. After a land trust has completed three consecutive five-year terms, each term thereafter is seven years, provided that the land trust maintains its accreditation with each subsequent renewal application.

3. Public Information

The Commission publishes a list of land trusts that have been awarded the accreditation seal. The Commission also publishes aggregate data about application success rates. It does not release the names of, or individual information about, land trusts that apply for but are not awarded accreditation or renewed accreditation or about land trusts that *voluntarily withdraw* from the accreditation process.

B. Commission Decisions

1. First-Time Accreditation

The Commission makes its decision based on the documentation provided by the first-time applicant to the Commission during the *application process*. When considering a land trust applying for first-time accreditation, the Commission may a) award accreditation, b) table its decision on the application, or c) decide to not award accreditation.

a) *Award Accreditation*

The Commission may decide to award accreditation when it determines the land trust has demonstrated substantial compliance with the *Standards* and *Program Requirements*.

At the time it awards accreditation, the Commission may issue one or more *expectations for improvement (EFIs)* if it determines that the land trust must take action over its accredited term to comply more fully with the *accreditation requirements*. EFIs are typically issued in cases where the Commission determines that the applicant has not met those requirements or circumstances that the Commission has determined are lower risk (such as

the *non-bold accreditation requirements*) and where the land trust has demonstrated to the Commission its intent and capacity to meet the requirements. When an accredited land trust applies for renewal, it must document how each EFI was met over its accredited term and that its current practice is compliant. Not meeting EFIs can be grounds for accreditation not being renewed at the next application cycle (I.B.2(d)).

b) *Table Decision*

The Commission may table its decision if it determines a first-time applicant needs to provide specific information and/or take specific action to demonstrate compliance with the *Standards* or *Program Requirements* before the Commission can make a decision to either award accreditation or to not award accreditation. The Commission may also table its decision where it determines the applicant has not met those requirements or circumstances that the Commission determines are higher risk (such as the *bold accreditation requirements*).

The Commission will provide a written request (“Table Information Request”) and establish a timeframe for the land trust to provide the information and/or take the action specified. The timeframe is set at the Commission’s discretion but generally will be between three to 12 months. During this period, the land trust will continue to be listed as an applicant for first-time accreditation.

The Table Information Request serves to communicate to the land trust that, absent corrective action and/or supplementary information by and from the land trust during the table period, the land trust is in jeopardy of accreditation not being awarded. The Table Information Request will:

- i. Identify which *Standards* or *Program Requirements* the land trust has not yet provided sufficient documentation of compliance;
- ii. Set forth the reason(s) that the Commission has determined that the land trust has not provided sufficient documentation of compliance with the *Standards* or *Program Requirements*; and
- iii. Offer the land trust an opportunity to provide the Commission information and/or to take the action(s) that the Commission has identified that (i) would bear materially on the Commission’s evaluation of the identified deficiencies and/or (ii) would correct, clarify, or supplement the information provided. The land trust may submit new information not previously provided to the Commission as part of this opportunity and/or explain how the documentation submitted shows the land trust satisfies the *Standards* and *Program Requirements*.

The Commission will review the information provided in response to the Table Information Request and, based on its review of that information along with the other information provided in the *application process*, may award accreditation (I.B.1(a)) or may decide to not award accreditation (I.B.1(c)).

c) *Accreditation Not Awarded*

The Commission may decide to not award accreditation without first tabling its decision or after a table period (I.B.1(b)) if the Commission determines:

- i. The applicant refuses to comply with one or more of the *Standards* or *Program Requirements*.
- ii. The applicant has falsified documents or provided false information.
- iii. A decision to accredit will put the credibility of the accreditation program at risk because of the nature of the applicant's noncompliance.

The Commission may also decide to not award accreditation at the end of a table period if the Commission determines:

- iv. The applicant does not comply with one or more of the *Standards* or *Program Requirements*.
- v. The applicant has not provided sufficient evidence of its compliance with one or more of the *Standards* or *Program Requirements*.
- vi. The applicant shows disregard for a *non-accreditation indicator* that could put the applicant at risk or threaten the credibility of the accreditation program.

2. Renewal of Accreditation

The Commission makes its decision based on the documentation provided by the renewal applicant to the Commission during the *application process*. When considering a land trust applying for renewal of accreditation, the Commission may a) renew accreditation, b) renew accreditation with conditions, c) table its decision on the application, or d) decide to not renew accreditation.

a) *Renew Accreditation*

The Commission may decide to renew accreditation when it determines the land trust has demonstrated substantial compliance with the *Standards* and *Program Requirements*.

At the time it renews accreditation, the Commission may issue one or more EFIs if it determines that the accredited land trust must take action over its renewed accredited term to comply more fully with the *accreditation requirements*. EFIs are typically issued in cases where the Commission determines that the applicant has not met those requirements or circumstances that the Commission has determined are lower risk (such as the *non-bold accreditation requirements*) and where the land trust has demonstrated to the Commission its intent and capacity to meet the requirements. When an accredited land trust applies for renewal, it must document how each EFI issued for that term was met over the term and that its current practice is compliant. Not meeting EFIs can be grounds for accreditation not being renewed at the next application cycle (I.B.2(d)).

b) *Renew Accreditation with Conditions*

The Commission may renew accreditation with conditions when an accredited land trust has not yet demonstrated it is in substantial compliance with the *Standards* or *Program Requirements* and if the Commission determines:

- i. Any areas of noncompliance are readily resolvable;
- ii. Specific steps can be taken early in the accredited term to allow the accredited land trust to demonstrate substantial compliance before revocation is considered; and
- iii. Renewing a land trust with conditions and confirming compliance during a conditional period will not put the credibility of the accreditation program at risk.

When accreditation is renewed with conditions, the Commission provides the land trust notice of the specific actions and/or information needed to verify compliance and a timeframe for when information must be submitted (the "Conditional Information Request"). A conditional period is set by the Commission at its discretion based on the particular facts of the renewal application and is generally one year, with a two-year conditional period being used in limited circumstances.

The Commission will review the information provided in response to the Conditional Information Request and, based on its review of that information along with the other information provided in the *application process*, will make a decision. The conditional period ends with a Commission decision that the land trust is in compliance or to issue one or more EFIs. Not continuing to meet the *Standards* or *Program Requirements* over the accredited term that were addressed during a conditional period can be grounds for accreditation not being renewed at the next application cycle (I.B.2(d)).

If a land trust fails to satisfy the conditions and/or does not provide documentation that confirms its compliance during the conditional period set by the Commission, the Commission may put the land trust on probation (IV.B.1) or revoke the land trust's accreditation (IV.B.2).

c) *Table Decision*

The Commission may table its decision if it determines a renewal applicant needs to provide specific information and/or to take a specific action to demonstrate compliance with the *Standards* or *Program Requirements* before the Commission can make a decision to either (1) renew accreditation (I.B.2(a)) or renew accreditation with conditions (I.B.2(b)) or (2) not renew accreditation (I.B.2(d)). The Commission may also table its decision where it determines the applicant has not met those requirements or circumstances that the Commission determines are higher risk (such as the *bold accreditation requirements*).

The Commission will provide a written request ("Table Information Request") and establish a timeframe for the land trust to provide the information and/or take the action required. The timeframe is set at the Commission's discretion but generally will be set so that the matter can be considered by the Commission at its next *meeting* when accreditation decisions are made.

The Table Information Request serves to communicate to the land trust that, absent corrective action and/or supplementary information by and from the land trust during the

table period, the land trust's accreditation status is in jeopardy of not being renewed. The Table Information Request will:

- i. Identify which *Standards* or *Program Requirements* the land trust has not yet provided sufficient documentation of compliance;
- ii. Set forth the reason(s) that the Commission had determined that the land trust has not provided sufficient documentation of compliance with the *Standards* or *Program Requirements*; and
- iii. Offer the land trust an opportunity to provide the Commission information and/or to take the action(s) that the Commission has identified that (i) would bear materially on the Commission's evaluation of the identified deficiencies and/or (ii) would correct, clarify, or supplement the information provided. The land trust may submit new information not previously provided to the Commission as part of this opportunity and/or explain how the documentation submitted shows the land trust satisfies the *Standards* and *Program Requirements*.

The Commission will review the information provided in response to the Table Information Request and, based on its review of that information along with the other information provided in the *application process*, may renew accreditation (I.B.2(a)), renew accreditation with conditions (I.B.2(b)), or decide to not renew accreditation (I.B.2(d)).

An accredited land trust that has had its renewal decision tabled will retain its accreditation status and continue to be listed as an accredited land trust unless and until the Commission decides to not renew accreditation.

d) *Accreditation Not Renewed*

The Commission may decide to not renew accreditation without first tabling its decision or after a table period (I.B.2(c)) if the Commission determines:

- i. The applicant refuses to comply with one or more of the *Standards* or *Program Requirements*.
- ii. The applicant has falsified documents or provided false information.
- iii. A decision to renew accreditation will put the credibility of the accreditation program at risk because of the nature of the applicant's noncompliance.

The Commission may also decide to not renew accreditation at the end of a table period if the Commission determines:

- iv. The applicant did not comply with one or more of the *Standards* or *Program Requirements* over its most recent accredited term where it was issued an EFI or where it was renewed with conditions at last application.
- v. The applicant does not comply with or has not complied during its accredited term with one or more of the *Standards* or *Program Requirements*.
- vi. The applicant has not provided sufficient evidence of its compliance with one or more of the *Standards* or *Program Requirements*.
- vii. The applicant shows disregard for a *non-accreditation indicator* that could put the applicant at risk or threaten the credibility of the accreditation program.

If the Commission decides to not renew accreditation, the land trust's license to use the trademarked accreditation seal is terminated and its name is removed from the Commission's list of accredited land trusts (see II.A.3 for more details). To reapply, the land trust must complete the application used by those seeking first-time accreditation and pay all accreditation fees applicable to first-time applicants. Regardless of how long the land trust was previously accredited, the land trust would need to be awarded three consecutive five-year accreditation terms again before it can be awarded a seven-year accreditation term.

C. Notification and Appeal

The Commission will provide the land trust written notice of the Commission's decision. If the Commission decides to not accredit or to not renew accreditation, the Commission will provide the land trust the reason(s) for the Commission's decision. A Commission decision to not award or not renew accreditation may be appealed by the land trust (Section II). A Commission action to table a decision or a Commission decision to renew accreditation with conditions cannot be appealed by the land trust.

Accreditation fees are not refundable or transferrable. The Commission can establish a waiting period of at least one year before the land trust can reapply if it determines that the noncompliance puts the accredited land trust community or the credibility of the accreditation program at risk and/or a specific period of compliance is needed before accreditation can be awarded.

D. Withdrawal

An applicant can choose to *voluntarily withdraw* from the *application process* at any time by providing written notice to the Commission. If a first-time applicant, the land trust's name will be removed from the list of applicants upon receipt of the notice of *voluntary withdrawal*. If accredited, the land trust's license to use the trademarked accreditation seal will terminate on the expiration date of that license or upon receipt of the notice of withdrawal, whichever is later.

In addition, the land trust's application may be deemed withdrawn if the land trust fails to meet deadlines, as detailed in the Commission's [Policy on Deadlines and Exceptions for Catastrophes](#).

II. APPEALS

A. Statement of Policy

The Commission provides applicants for accreditation and accredited land trusts the opportunity to request an appeal of decisions to not award accreditation, not renew accreditation, or revoke accreditation.

Other decisions and actions by the Commission are not subject to appeal. Non-appealable decisions and actions of the Commission include, but are not limited to, rejecting a pre-application at first-time accreditation, tabling a decision, renewing accreditation with conditions, placing a land trust on probation, or administratively revoking accreditation.

1. Grounds for Appeal

Grounds for appeal are limited to allegations that the Commission made an erroneous decision by:

- a) Failing to follow its stated policies or procedures;
- b) Failing to make a decision based on the *Standards* or *Program Requirements*; and/or
- c) Failing to consider all the evidence and documentation submitted by the land trust or presented by the review team regarding the land trust's application.

The appeal process will consider whether any such failures resulted in an unreasonable or unfair application of the Commission's policies, procedures, *Standards*, or *Program Requirements* to the land trust. Throughout the appeal, the land trust has the burden of demonstrating that the decision of the Commission was not supported by the record or was otherwise unreasonable or unfair.

2. Scope of the Appeal Panel

The Appeal Panel (Panel) only considers whether the Commission's decision was supported by the evidence that was before the Commission when it acted. The Panel shall only consider evidence previously submitted to the Commission during the *application process* or *compliance process*. The Panel will not consider evidence of a land trust's compliance that occurred after the date of the Commission's decision or any new information or evidence submitted and/or available during the appeal process.

The Panel shall not substitute its judgment for that of the Commission but rather must give the decisions of the Commission due deference in recognition of the experience and qualifications of the commissioners and the responsibilities invested in the Commission as an accrediting body.

3. Public Accredited Status

An accredited land trust that has not been renewed or has had its accreditation revoked will remain on the list of accredited land trusts and may continue to display the accreditation seal until there is a final action of the Commission (II.B.6).

Notwithstanding the above, in cases where the land trust has violated the *Standards* or *Program Requirements*, has put its organization at risk or threatened the credibility of the accreditation program, and/or has obstructed the accreditation process, the Commission at its sole discretion may require that the land trust immediately cease using the accreditation seal. In this circumstance, the Commission may remove the name of the organization from the accredited land trust list immediately, before there is a final action (II.B.6), so long as it reinstates the land trust's name if an appeal results in a reversal of the Commission's decision.

4. Appeal Fee

The fee for filing a Request to Appeal with the Commission is \$1,500 (the appeal fee). The Commission may require, at its sole discretion, additional proportionate fees if the appeal involves multiple corporations or entities. The appeal fee covers a portion of the Commission's administrative costs for processing the appeal and is payable regardless of the outcome of the appeal. The land trust is responsible for any and all expenses it incurs in planning for and participating in the appeal process, including but not limited to, its own legal fees, administrative costs, travel expenses, or any other related costs.

If the Commission determines that the Grounds for Appeal (II.A.1) have not been met and the appeal will not be heard, 65% of the total appeal fee paid will be returned to the land trust.

B. Appeals Procedures

1. Request to Appeal

To initiate an appeal, a land trust must file a Request to Appeal that includes the following:

- a) A written statement of the grounds for the appeal and the reasons the land trust is disputing the Commission's decision.
- b) A check in the amount of the appeal fee made payable to the Land Trust Accreditation Commission. (Electronic payments can be arranged with notice to the Commission.)

The Request to Appeal must be received by the Commission within 30 days (calendar days here and throughout this policy) from the date the notice of the Commission's decision was transmitted. The Request to Appeal can be sent in paper to the Commission's office or electronically to the executive director (or their designate).

2. Response to Request to Appeal and Selection of the Appeal Panel

The Commission shall take the following steps when a Request to Appeal is received:

- a) The Commission's chair (or vice chair, if the chair is unavailable or has a conflict of interest with the land trust, here and throughout this policy) and executive director shall review the Request to Appeal and, within 30 days of the Commission's receipt of the Request to Appeal, shall make a determination whether the Grounds for Appeal (II.A.1) have been met. This determination will be forwarded to the executive committee for ratification; the ratification will be no later than 60 days from the Commission's receipt of the Request to Appeal.
 - i. If the grounds for appeal have not been met but the Commission has reason to believe that clarification from the appellant could result in the grounds being met,

then the appellant will be asked to provide supplementary information (either as part of the initial review or as part of the executive committee's ratification). If supplementary information is requested, the appellant will have 15 days to provide a response.

- ii. If the grounds for appeal have not been met, the appellant will be informed in writing that the Request to Appeal has been denied on the basis of not meeting the grounds for appeal. A decision that a Request to Appeal has been denied is not subject to any additional appeal.
 - iii. If the grounds for appeal have been met, the Commission will provide the appellant written notice that the appeal will be heard.
- b) Upon a determination that the Request to Appeal will be heard, the Commission's executive committee shall establish a Panel.
- i. The Panel shall consist of three current or former members of the Commission selected on the basis of their knowledge of accreditation and absence of any conflict(s) of interest, as appointed by the Commission's chair.
 - ii. From the three members selected in II.B.2(b)(i), the Commission's chair shall appoint one current commissioner to serve as chair of the Panel.
 - iii. A Commission staff member will be assigned to assist the Panel.
 - iv. The Panel and Commission staff member assigned to the Panel cannot include members of the original review team.
- c) The appellant shall be provided with the list of potential Panel members and will have 10 days from the electronic transmission of the list to disclose if the land trust has a conflict of interest with any of the potential Panel members. If the appellant discloses a conflict, then the Commission's chair will consider this disclosure according to the Commission's conflict of interest policy, will determine if alternative Panel members need to be posed to the land trust, and will make appropriate final assignments to the Panel.

3. Consideration of the Appeal

The Panel will act independently of the Commission and is intended to provide an additional level of due process for the land trust. The Panel has no authority concerning the reasonableness of the Commission's policies, procedures, *Standards*, or *Program Requirements*.

Rather, the Panel's role is to determine:

- a) Whether the Commission
 - i. Failed to follow its stated policies and procedures;
 - ii. Failed to make a decision based on the *Standards* and *Program Requirements*; and/or
 - iii. Failed to consider all the evidence and documentation submitted by the land trust or presented by the review team regarding the land trust's application.
- b) And, then whether any such failures resulted in an unreasonable or unfair application of the Commission's policies, procedures, *Standards*, or *Program Requirements* to the land trust.

4. Appeal Panel Process

The Panel shall operate as follows:

- a) Panel members will review the documents on record.
- b) The Panel may request, in writing, clarifying information from the Commission's executive director.
- c) The Panel will establish a date for a conference call with the appellant to hear the appeal. During the conference call, the Panel will take statements from and pose questions to the appellant and any other persons that the appellant wishes to provide responses on its behalf. The Panel may record this call, subject to the appellant's consent.
 - i. The Panel shall provide the appellant with at least 30 days' notice of the date of the conference call.
 - ii. If the appellant will be represented by legal counsel on the call, it must notify the Panel at least 15 days in advance of the call.
 - iii. The Panel shall provide the appellant an agenda for the call at least seven days before the conference call.
- d) After the conference call, the Panel shall confer in a closed session and shall decide on what action to take. The Panel may take one of the three following actions:
 - i. *Affirm*: The Panel may recommend that the Commission affirm its previous decision. This occurs if the Panel finds that the Commission's policies, procedures, *Standards*, or *Program Requirements* were reasonably and fairly applied to the land trust and that the Commission's decision was reasonable and supported by the record before it. The Panel's recommendation will include an explanation for the basis of its determination.
 - ii. *Reverse*: The Panel may recommend that the Commission reverse its previous decision. This occurs if the Panel finds that the Commission's policies, procedures, *Standards*, or *Program Requirements* were arbitrarily applied to the land trust or that the Commission's decision was unreasonable and not supported by the record before it. The Panel's recommendation will include an explanation for the basis for a decision that differs from the Commission's decision. The Panel may recommend the Commission award accreditation, renew accreditation, renew accreditation with conditions, place the land trust on probation, or reinstate accreditation.
 - iii. *Remand*: The Panel may remand the decision, or any part thereof, back to the Commission. A remand is a direction that the Commission reconsider its action in light of all relevant facts, including any specific material facts that are the basis for the remand. The Panel will identify the specific issues that the Commission must address in its reconsideration.
- e) The Panel shall prepare a report, and the rationale for its action in II.B.4(d), to the Commission within 45 days of the conference call with the appellant. The Panel chair shall transmit the Panel's report to the Commission's chair in writing.

5. Commission Response to Panel Action

- a) The Commission will act on the Panel's action at its next *meeting*, provided that the report of the Panel's action is delivered to the Commission no less than 10 days before the *meeting*, otherwise the matter will be acted on at a subsequent *meeting*.
- b) A Panel recommendation that the Commission affirm or reverse its previous decision is not binding on the Commission. However, the Panel's recommendation may only be reversed or amended by a two-thirds vote of the commissioners then in office.
- c) If the Panel remands the Commission's earlier decision back to the Commission for further deliberation, the Commission will review and address the matter consistent with the Panel's direction. The Commission may, after considering the specific issues identified by the Panel and the supporting documentation in the record at the time of the decision:
 - i. Determine that additional time is needed to consider the specific issues and defer its decision to its next *meeting*.
 - ii. Uphold its original decision, at which time the *adverse action* will be final and the decision cannot be further appealed.
 - iii. Reverse its original decision and award accreditation, renew accreditation, renew accreditation with conditions, place the land trust on probation, or reinstate accreditation.
- d) The appellant will be notified in writing of the Commission's decision on the appeal within 20 days of the decision.

6. Final Action

- a) If no Request to Appeal is received by the Commission within 30 days from the date the Commission transmitted notice of the decision to the land trust, the Commission's decision shall constitute the final action by the Commission.
- b) If an appeal has been heard, the determination of the Commission regarding the Panel's action shall constitute the final action of the Commission as it relates to the matter under appeal and no further appeals will be heard.
- c) Any legal actions brought by an appellant after the final action by the Commission must be filed in the District of Columbia.

III. COMPLIANCE CONFIRMATION

A. Statement of Policy

The 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.

1. Types of Information Received

The Commission requires that accredited land trusts continuously meet the *Standards* and *Program Requirements*. The Commission may receive information about an accredited land trust's compliance in several ways.

- 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 the *Standards* or *Program Requirements*.
- The public may submit signed, written comments that assert an accredited land trust may not be compliant with the *Standards* or *Program Requirements*.
- The Commission may ask a land trust for additional data on its activities at any time during the accredited term and may also receive and compile information from other sources.

2. Limitations

It is beyond the authority or role of the Commission to intervene in internal disputes within accredited land trusts, disputes between land trusts (whether accredited or not), 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. The Commission does not respond to comments regarding land trusts that are not accredited or that do not have applications for accreditation pending before the Commission.

Comments received on land trusts during the *application process* are evaluated by the review team and are not evaluated under this policy.

3. Public Information

The Commission does not release the names of, or individual information about, land trusts that are being evaluated under this policy.

B. Evaluating Information on Potential Noncompliance

1. Evaluating Information Received on Potential Noncompliance

- a) The Commission may receive information about an accredited land trust from a variety of sources, including from the land trust itself, the public, public sources, or the Commission's own research.
- b) All concerns about potential noncompliance must be in writing and attributed to an individual. Anonymous submissions shall 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 *Standards* or *Program Requirements*.

- c) The Commission's executive director will determine if the concern relates to the *Standards* or *Program Requirements*.
 - i. If the information is not relevant to the land trust's compliance with the *Standards* or *Program Requirements*, the information will be kept in the Commission's records consistent with its records policy, but no further action will be taken.
 - ii. If the information is relevant to the land trust's compliance with the *Standards* or *Program Requirements*, the executive director and the Commission's chair (or vice chair if the chair is unavailable or has a conflict of interest with the land trust) will determine if:
 - a. No further action is required.
 - b. Information about the concern needs clarification before proceeding.
 - c. The matter should be referred to the application review team and not managed under these procedures, if the land trust has or will soon have a renewal application pending.
 - d. Further investigation is needed.
- d) If further investigation is needed (III.B.1(c)(ii)(d)), Commission staff will contact the commenter to request a written release allowing the concern to be shared with the land trust in question. Consistent with other Commission policies, the name of the commenter will be withheld from the land trust. If a written release is not received, no further action will be taken with respect to that information.

2. Land Trust Response to Information

If a written release is received in III.B.1(d) or information suggesting noncompliance has come from the land trust itself, public sources, or the Commission's own research, the land trust will be given an opportunity to provide a written response to the noncompliance concern and/or to describe any actions it is taking in response. The timeframe for a response is set at the sole discretion of the Commission.

3. Commission Review

- a) The Commission's executive committee will review the summary of the concerns and the land trust's response. Then, the executive committee will take one of the following actions:
 - i. Decide that no action be taken and inform the land trust accordingly.
 - ii. Authorize additional investigation(s). (Additional investigation here and below may include, but is not limited to, web or print research, documented interviews or phone calls, targeted questions for written response, or site visits.)
 - iii. Issue one or more *EFIs* to the land trust and inform the land trust accordingly.
 - iv. Recommend disciplinary action (Section IV) for consideration by the full Commission.

- b) If the Commission’s executive committee recommends disciplinary action (Section IV), the Commission will review the recommendation at its next *meeting*, and will take one of the following actions:
- i. Approve the recommendation and take disciplinary action (Section IV).
 - ii. Issue one or more *EFIs* to the land trust and inform the land trust accordingly.
 - iii. Authorize additional investigation. The information and any response from the land trust will be provided to the executive committee to repeat steps in III.B.3(a).
 - iv. Decide that no action be taken and inform the land trust accordingly.

4. Failure to Respond

If the land trust fails to provide the requested response by the timeframe set at any point during the compliance confirmation process, the Commission may at its next *meeting* consider whether to revoke accreditation (Section IV).

C. Evaluating Information on Organizational Changes

1. An accredited organization is required to notify the Commission in writing if it has changed its organizational structure or operation.
 - a) Such organizational changes include, but are not limited to, change of organizational name, change in geographic scope, corporate combination with another land trust or other nonprofit, accepting conservation easements as a new practice having only held conservation fee properties, or accepting conservation fee properties as a new practice having only held conservation easements.
 - b) The Commission’s executive director (or their designate) may seek clarification and/or documentation from the land trust and will indicate the timeframe for the response to be provided by the land trust.
2. If the Commission’s executive director determines that the organizational change is minor or that a major change is implemented close to the time of renewal application, then the change will be evaluated as part of the renewal process and the land trust will be informed accordingly.
3. If the Commission’s executive director determines that the change in structure or operation is or may be major and is not close to the land trust’s next renewal application, then they (or their designate) may request documentation to verify compliance with the *Standards* and *Program Requirements* and indicate the timeframe for the response to be provided by the land trust.

Based on the information received, the Commission’s executive committee will take one of the following actions:

- a) Decide that no action be taken and inform the land trust accordingly.
- b) Authorize additional investigation(s).
- c) Issue one or more *EFIs* to the land trust and inform the land trust accordingly.
- d) Recommend disciplinary action (Section IV) for consideration by the full Commission.

IV. DISCIPLINARY ACTION

A. Statement of Policy

In order to maintain the integrity of the accreditation program, the Commission may take disciplinary action against an accredited land trust during its accredited term when there is evidence that the land trust does not comply with the *Standards* or *Program Requirements*. Disciplinary action will apply if the Commission makes a determination to move forward with probation or revocation of accredited status following Compliance Confirmation (Section III) or at the conclusion of a conditional period (Section I).

B. Types of Disciplinary Actions

1. Probation

Probation requires an accredited land trust to take specific actions within a specified timeframe to remain accredited. The Commission may place a land trust on probation during its accredited term a) after a conditional period (Section I) or b) following Compliance Confirmation (Section III). Probation is used when the area of noncompliance is, in the Commission's judgment, readily resolvable and specific steps can be taken to allow the accredited land trust to correct a problem before revocation is considered.

2. Revocation

Revocation is the termination of accreditation. Generally, the Commission will first put a land trust on probation before revoking accreditation. This is intended to provide the land trust an additional opportunity to provide clarification or take action to show its compliance with the *Standards* and *Program Requirements*.

However, the Commission may revoke a land trust without a probationary period a) after a conditional period (Section I) or b) following Compliance Confirmation (Section III) in one or more of the following circumstances.

- a) The land trust refuses to comply with one or more of the *Standards* or *Program Requirements*.
- b) Federal or state regulatory action or legal action against the land trust results in loss of its tax-exempt status or its conviction of a felony.
- c) Gross misuse of the accreditation seal.
- d) Revelation that information contained in the application for accreditation or other documents submitted to the Commission was fraudulent, falsified, or false.
- e) Disregard of the *Standards* or *Program Requirements* that puts the land trust at risk or threatens the credibility of the accreditation program.
- f) Substantial or repeated noncompliance with the *Standards* or *Program Requirements*.
- g) Failure to provide information requested by the Commission by the deadline specified by the Commission.
- h) Action, omission, or fabrication that jeopardizes the integrity of the accreditation program.

If a land trust's accredited status is revoked, to be reconsidered for accreditation the land trust must complete the application used by those seeking first-time accreditation and pay all accreditation fees applicable to first-time applicants. The Commission can establish a waiting period of at least one year for any subsequent application if it determines that the noncompliance puts the accredited land trust community or the credibility of the accreditation program at risk and/or a specific period of compliance is needed before accreditation can be awarded.

3. Administrative Revocation

The Commission may revoke accreditation by administrative action if the land trust fails to pay the required accreditation fees or in the event the land trust ceases operations, such as through a liquidation or dissolution. There is no probationary period prior to administrative revocation, and revocation on these grounds is not subject to appeal (Section II).

4. General

A land trust on probation remains on the accredited land trust list; if accreditation is revoked, the land trust is removed from the accredited land trust list. The Commission may, for the purposes of providing information to land trusts and the public, publish information which cannot be reasonably attributable to a specific organization about the reasons for which land trusts were placed on probation and for which accreditation was revoked.

C. Disciplinary Action Procedures

1. Probation Procedures

An accredited land trust may be put on probation when the Commission determines, after a conditional period (Section I) or following Compliance Confirmation (Section III), the land trust is not in compliance with the *Standards* or *Program Requirements*. The following steps will be taken once the Commission has made a decision to move forward with probation.

- a) The Commission will provide the accredited land trust written notice of the probation decision that contains the following elements:
 - i. An outline of the Commission's determination and the reasons for that determination.
 - ii. Specific actions or evidence the land trust must undertake or provide to show that it has corrected its deficiencies, refrained and continues to refrain from certain activities, and/or initiated certain activities.
 - iii. A timeframe for reporting.
 - iv. Consequences of missing deadlines or not providing satisfactory information.
 - v. A timeframe for Commission reconsideration of probationary status.

- b) The Commission will review the information provided by the land trust in response to IV.C.1(a) at its next *meeting* and determine if the land trust is in compliance with the *Standards* and *Program Requirements*.
 - i. Probation ends with a Commission decision that the land trust is in compliance or to issue one or more *EFIs*.

- ii. If the land trust fails to be in compliance with the *Standards* and *Program Requirements* by the conclusion of the probationary period, the Commission may revoke the land trust's accredited status and revocation procedures (IV.C.2) will begin. The Commission may also decide to continue the probationary period.

2. Revocation Procedures

The Commission may revoke the accredited status of a land trust when the land trust is found through Compliance Confirmation (Section III) or following a probationary period (IV.C.1) to not be in compliance with the *Standards* or *Program Requirements*; when any of the conditions outlined in IV.B.2 are met; or when the land trust failed to provide the requested compliance confirmation information or information requested during a conditional period in the specified timeframe.

- a) The Commission will provide the accredited land trust written notice stating that its accreditation has been revoked. The notice will contain the following elements:
 - i. The Commission's rationale for the decision.
 - ii. Any required waiting period before a new first-time application would be accepted.
 - iii. The requirement that the land trust must stop using the accreditation seal.
 - iv. Information about the Appeals Policy (Section II).
- b) The land trust's license to use the trademarked accreditation seal is terminated and its name is removed from the Commission's list of accredited land trusts (see II.A.3 for more details).
- c) To reapply, the land trust must complete the application used by those seeking first-time accreditation and pay all accreditation fees applicable to first-time applicants. Regardless of how long the land trust was previously accredited, the land trust would need to be awarded three consecutive five-year accreditation terms again before it can be awarded a seven-year accreditation term.

3. Administrative Revocation Procedures

The Commission's executive director is authorized to revoke accreditation by administrative action for a land trust's failure to pay the required accreditation fees or in the event the land trust ceases operations, such as through a liquidation or dissolution. Regardless of how long the land trust was previously accredited, the land trust would need to be awarded three consecutive five-year accreditation terms again before it can be awarded a seven-year accreditation term.

The following steps will be taken once a decision to move forward with administrative revocation has been made:

- a) The Commission will provide the accredited land trust written notice stating that its accreditation has been revoked, that its license to use the trademarked accreditation seal is terminated, and that the land trust must stop using the accreditation seal immediately.

- b) In the event the revocation is related to failure to pay the required fees, the notice will also contain the following elements:
 - i. Notification that all fees and any remaining installments are due and payable immediately, with 30 days to submit payment.
 - ii. Notification that having accreditation reinstated for the balance of the accredited term will require payment of the full balance due.
 - iii. Notification that, if the accreditation term lapses, to have accreditation reconsidered the land trust must complete the application used by those seeking first-time accreditation and pay all outstanding balances and applicable charges as well as all accreditation fees applicable to first-time applicants.

- c) The Commission will remove the organization's name from its list of accredited land trusts.

GLOSSARY

Accreditation Requirements	The specific measures the Commission uses to verify a land trust's compliance with the <i>indicator elements</i> as published in the <i>Requirements Manual</i> .
Adverse Action	A decision to not award accreditation, not renew accreditation, or revoke accreditation.
Application Process	The steps and related documentation provided by the land trust related to accreditation proceedings, including but not limited to registration, pre-application, application, and responses to additional information request.
Bold Accreditation Requirements	<i>Accreditation requirements</i> in bold font in the <i>Requirements Manual</i> that correspond to areas where individual land trusts or the land trust community face frequent or high conservation, financial, operational, or reputational risk.
Compliance Process	The steps and related documentation to confirm compliance either through conditional period or through the compliance confirmation policy.
Expectations for Improvement	An expectation for improvement (or "EFI") is issued by the Commission as notification to the land trust that it must take additional action over its accredited term to comply more fully with the <i>accreditation requirements</i> .
Indicator Elements	The Commission verifies a land trust's compliance with Standards by evaluating a sample of the elements within the Standards, which are called the indicator elements. As shown in the <i>Requirements Manual</i> , the <i>indicator elements</i> are classified into four groups: Governance, Finance, Transactions, and Stewardship.
Meeting	Any meeting of the Commission with a quorum of commissioners, whether it be the annual meeting, a regular meeting, or a special meeting as allowed under the Commission's bylaws. The Commission does not make accreditation decisions at every meeting.

Non-accreditation Indicator	Practice elements in the <i>Standards</i> that are not specifically identified as an <i>indicator element</i> , so are not verified specifically through the <i>application process</i> or <i>compliance process</i> . However, the Commission may consider compliance concerns with any practice elements that put the land trust or accreditation program at high risk.
Non-bold Accreditation Requirements	<i>Accreditation requirements</i> that are not in bold font in the <i>Requirements Manual</i> . These are just as important as <i>bold accreditation requirements</i> , but corrective action is situational and depends on risk.
Program Requirements	Program requirements are defined as those identified in the Commission's <i>Applicant Handbook</i> , <i>Requirements Manual</i> , and other published materials.
Standards	<i>Land Trust Standards and Practices</i> (Standards) published by the Land Trust Alliance and describe how to operate a land trust legally, ethically and in the public interest, with a sound program of land transactions and land stewardship. The Standards are a set of 12 broad principles. These standards are broken down into 59 practices and 188 practice elements, which describe the essential actions needed to fulfill the Standards.
Voluntary Withdraw(al)	An applicant for first-time accreditation or renewed accreditation may choose to withdraw from the accreditation review process at any time with written notice to the Commission.