



Membership Policy

Adopted 10-3-05; Revision 6-30-15

INTRODUCTION

The California Council of Land Trusts has adopted our membership policy to:

- Identify the categories of participation and support for CCLT, the criteria and process for each category, and the benefits and financial requirements for each.
- Ensure continued clarity of purpose and focus for CCLT.
- Identify land trusts engaged in sustainable land conservation in accordance with legal requirements and widely accepted principles of good business and charitable practices.
- Ensure that CCLT's membership consists of organizations that act in ways that support and advance the identity and reputation of California's land trust community and land conservation generally.

No category of membership or participation has voting rights to govern the affairs of the organization. All decisions regarding participation are made by CCLT in its sole and complete discretion.

LAND TRUST DEFINITION

Organizations identifying themselves as land trusts are engaged in a wide variety of conservation-related activities including but not limited to acquisition, stewardship, recreation, education, land use planning and public policy advocacy.

To be a land trust for CCLT purposes, an organization must meet two general criteria:

1. An organization must be both:
 - a. a nonprofit 501(c)3 corporation
 - b. a public charity described in IRS Code Section 170(b)(1)(A)(vi) or Section 509(a)(2) which require that the organization meet the public support test¹
2. An organization's principle purpose and activity is the conservation of natural or cultural resources, working landscapes, and/or the provision of outdoor experiences which are achieved in whole or part through the direct protection and/or stewardship of land. Direct protection is defined as the acquisition of conservation easements and fee interests in real property. Stewardship encompasses the range of activities involved in controlling, managing and restoring a property or conservation easement and its attendant resources for

CALIFORNIA COUNCIL OF LAND TRUSTS

conservation purposes. Outdoor experiences can include, but is not limited to, education, recreation and inspiration.

CATEGORIES OF PARTICIPATION

1. **Land Trust Member.** Organizations that meet the land trust definition above are eligible to apply for *Land Trust Membership* in CCLT.

Process. New applicants must submit a completed application form with supporting information. CCLT will review these materials and undertake any additional inquiries it deems appropriate. The Board of Directors will vote upon each admission and its decision is final.

Criteria. To evaluate new applicants, CCLT will rely upon (1) CCLT's adopted *Qualifications for Membership*² and (2) CCLT's *Community Integrity Principles for California Land Trusts*. Applicants must demonstrate that they meet the *Qualifications* and generally practice according to the *Integrity Principles*. Neither being a member of Land Trust Alliance nor adoption of *Standards and Practices* is sufficient alone to qualify as a member of CCLT.

Renewal. After being admitted as a member of CCLT, renewal is expected to be routine. It requires an annual affirmation by the Executive Director or Board Chair that the land trust operations remain consistent with qualifications and community integrity principles. However, CCLT reserves the right to require additional information and re-evaluate the member.

ANNUAL DUES

Annual membership runs on the calendar year, with renewal notices sent in October. Dues are on a sliding scale to reflect the diversity of land trust size and financial capability. It is CCLT's policy to evaluate our need to make adjustments or restructure dues levels every three years to reflect a cost of living adjustment rather than make minor changes each year. The scheduled dues increases will occur for the years 2016, 2019, 2022, and every three years thereafter. The dues are based on annual operating budget* in the following categories:

Level 1	Under 50,000	Level 5	250,001 - 500,000
Level 2	50,001 - 75,000	Level 6	500,001 - 1,000,000
Level 3	75,001 - 100,000	Level 7	1,000,001 - 3,000,000
Level 4	100,001 - 250,000	Level 8	over 3,000,001

* To ensure fairness for all members, your operating budget should be calculated as follows: Referring to Part IX, Statement of Functional Expenses, on your most recently-filed IRS 990 form,

CALIFORNIA COUNCIL OF LAND TRUSTS

subtract capital expenses (specifically, land or easement purchase and the construction of building other fixed improvements) from “total functional expenses” on line 25, column A. This is your “operating budget “upon which your membership dues are calculated. If you had no capital expenditures in the year, then your operating budget is equal to your functional expenses.

Membership Renewal Process Timeline*

Oct. – Nov.	Membership renewal letters mailed out.
Jan. 30	Membership renewal due date. Land trusts that have pledged to make installment payments must make their first pledge.
Feb. 28	30 day past-due notices emailed (with invoice).
March 30	60 day past-due notices emailed; notice that \$25 late fee may be assessed (with invoice).
April 30	90 day past-due noticed emailed + \$25 late fee assessed (with invoice) *Note that June 1 is the last day to pay dues in order to retain membership benefits.
June 1	Deadline to pay membership dues and retain membership benefits.
June 15	Notice emailed that membership has been inactivated and that dues must be paid by Aug. 1 in order to avoid suspension of membership. *Note if membership is suspended, must re-apply as a new member.
Aug. 1	Notice that membership has been suspended. *Note that in order to renew membership, organization must submit a new membership application.
Sept. 30	All installment payments must be received in full by this date to avoid suspension of membership.

*We reserve the right to make alternative arrangements in extraordinary circumstances with members in good standing.

2. **Provisional Land Trust Member.** An organization is eligible to apply as a *Provisional Land Trust Member* if it falls into one of two conditions. First, an organization that otherwise meets the land trust definition but is in its Advance Ruling Period (generally, the first five years of a nonprofit corporation’s existence). Second, an organization that has passed its Advance Ruling Period, but whose level of direct protection or management activities are growing but not yet more than 50% of its total activities.

Process. Applicants must submit a completed application form with supporting information. CCLT will review these materials and undertake any additional inquiries it deems appropriate.

CALIFORNIA COUNCIL OF LAND TRUSTS

The Board of Directors will vote upon each admission and its decision is final. Upon meeting the public support test (generally, the conclusion of the Advance Ruling Period), *Provisional Members* can apply to become full Members.

Criteria. *Provisional Members* will be evaluated according to the same criteria as *Members* (see above). To be admitted, a *Provisional Member* must meet Qualification numbers 2, 6, 8 and 11 but are only expected to meet other Qualifications to the extent appropriate for their formative development.

Term. An organization may remain in the provisional category for a maximum of five years. If extenuating circumstances exist, CCLT may consider extending Provisional Membership beyond the five-year period.

Renewal. After being admitted as a *Provisional Member* of CCLT, renewal is expected to be routine during the Advance Ruling Period. After this period, the *Provisional Member* must apply to become a full Member or transition to another category of participation. However, CCLT reserves the right to require information and re-evaluate the member at any time during the five-year period.

Annual Dues. The timing and amount of dues are the same as that of *Members* (see above).

3. **Associates and Supporters.** Public agencies, nonprofit organizations, corporations, professionals and individuals can also participate in CCLT. All Associates and Supporters will receive an annual notice to continue their membership.
- **Public Agency Associate** – Any local, regional, state or federal agency that support's CCLT's purpose is eligible to purchase certain services and products from CCLT.
 - **Supporter** – Any nonprofit organization, corporation, professional or individual that wants to support CCLT's purpose is welcome and eligible to apply to become a CCLT Supporter.

In becoming an Associate and Supporter, an entity is not endorsing any CCLT position, activity or program, nor does it hold any voting rights. Each category has a simple, one-page application form. See separate materials for further information about becoming a Public Agency Associate or Supporter.

CALIFORNIA COUNCIL OF LAND TRUSTS

PROCESS

Applications for *Members* and *Provisional Members* will be reviewed by CCLT's Membership Committee, which may, as needed, undertake further inquiry about an applicant. The Committee will make recommendations to the Board of Directors regarding admission for each applicant.

Complaints or inquiries about CCLT members are not anticipated to be frequent or voluminous. The Committee will handle any credible complaints according to CCLT's *Complaint Procedures*.

CCLT reserves the right to make all decisions regarding membership and termination in the organization in its sole and complete discretion.

COMPLAINT PROCEDURE

General Statement. One purpose of CCLT's membership program is to ensure that CCLT's membership consists of organizations that act in ways that support and advance the identity and reputation of California's land trust community and land conservation generally. If CCLT and its membership is to be credible, then the membership requirements and community integrity principles must be meaningfully acted upon.

Occasionally, issues or complaints may be brought to CCLT's attention by our members or other agencies and organizations that raise questions about a CCLT member (provisional or full member). The nature of the issue may be a single action or a pattern of behavior of a land trust or it may be a dispute between land trusts or involve a public agency. Our assistance or intervention may be requested, or we may determine that we need to act in the interests of maintaining our membership requirements or the integrity of, and confidence in, the California land trust movement.

This statement reflects CCLT's general approach and procedures of how it will address these situations when they arise. CCLT does not aspire to play an enforcement role but such action may be necessary from time to time to ensure that our membership is strong and credible. Because each situation will have individual factors, our response in any specific instance may vary.

Initiating a Complaint. Issues or complaints may be brought to CCLT through oral or written communication. In most circumstances, a written complaint must be provided to CCLT; it may come from a land trust, other nonprofit, public agency, corporation or individual. Complaints lodged by a public agency, or an individual with a public agency do not require a written communication. Additionally, CCLT reserves the right to initiate an investigation if it becomes aware of a member land trust that appears to be acting in violation of CCLT's membership requirements or other criteria

CALIFORNIA COUNCIL OF LAND TRUSTS

noted below. Matters of this sort should be directed to CCLT Executive Director or the Chair of the Membership Committee.

An individual may contact CCLT by phone or in person to discuss a matter and learn more before deciding if they want to proceed formally. The written communication should identify the organization(s) and their activity(s) that are of concern. Please provide as much specificity as possible.

Considering a Complaint. When an issue comes in, the Executive Director and Membership Committee Chair will consult about the matter and make informal inquiries as needed, including with the organization. They will consider whether the matter seems credible and appears to meet a basic threshold of significance for further consideration by CCLT. If so, the matter will be referred to the Membership Committee. The criteria for considering and determining significance are:

1. Does there appear to be a possible violation of CCLT's membership qualifications or membership policy?
2. Does there appear to be a possible violation of the Community Integrity Principles for California Land Trusts?
3. Does there appear to be activity that jeopardizes the statewide integrity of the California land trust community or the legal validity of conservation tools?

Before beginning its review, possible conflicts of interest among the Membership Committee members will be considered and any conflicted members will be recused from the discussion. If two or more committee members have a conflict in the matter, an ad-hoc committee will be created by drawing upon CCLT's board of directors. CCLT will handle complaints and any ensuing investigation in a confidential manner.

The Committee will review the matter to determine if a basic threshold of significance has been met. The Committee, individual members or staff will talk further with the organization(s) as needed. If needed, the Committee may collect additional information to substantiate or clarify the claims of either party. Many matters can be resolved readily through discussions with or between the land trusts involved. If the matter cannot be readily resolved, or if more information or analysis is necessary, CCLT will act as needed. For example, CCLT may bring the parties together with a facilitator for a discussion of the issue, or secure a legal opinion on a question of dispute.

Taking Action. CCLT will make every effort to work with the parties to resolve the matter to the satisfaction of all. If errors or activities are found that violate CCLT's membership qualifications and policy, the *Community Integrity Principles* or jeopardize the integrity of land trusts or conservation tools, we may request corrective actions or future improvements of the member. CCLT reserves the

CALIFORNIA COUNCIL OF LAND TRUSTS

right to use any tool within its discretion, including immediate suspension or revocation of CCLT membership. The fact of a suspension or revocation of a member may be shared by CCLT's Executive Director and any and all inquiries must be directed to CCLT's Executive Director. Such actions will be recommended by the Membership Committee to the Board of Directors whose decisions will be final.

The timeframe by which a CCLT Member may re-apply for full membership to CCLT will be determined based upon the circumstances of its suspension or revocation.

¹ Under exceptional circumstances, the CCLT Board of Directors reserves the right to accept organizations that were formed and operate in all ways consistent with land trust purposes, standards, practices and operating principles but that may have a different legal structure.

² The CCLT Board of Directors also reserves the right to allow exceptions to the adherence to *Qualifications for Membership* under exceptional circumstances and if the organization is in substantial compliance with the *Qualifications*.

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