

BYLAWS OF THE ALABAMA ORNITHOLOGICAL SOCIETY'S ALABAMA BIRD RECORDS COMMITTEE

I. Name, Affiliation, and Definitions

- A. Name.** The official name of this organization shall be the "Alabama Ornithological Society's Alabama Bird Records Committee" which may be shortened to the "Alabama Bird Records Committee (ABRC)" and is hereafter referred to as the "Committee".
- B. Affiliation.** This is a committee of the Alabama Ornithological Society (AOS).
- C. Definitions.** The phrase "AOS Area" used in this document refers to the same geographical area defined within Article II of the AOS Constitution.

II. Purposes

- A.** Validate records of birds from only the State of Alabama and adjacent waters. "Adjacent waters" is herein defined as that area within 200 nautical miles of the nearest part of the mainland between longitudinal lines drawn from the two corners of the Alabama coast.
- B.** Maintain permanently the original bird records and all Committee votes and comments for use by future bird students.
- C.** Publish at least minimal data on all records receiving a decision.
- D.** Provide a means by which sight records can gain universal acceptance as valuable scientific data.
- E.** Increase knowledge of the birds of Alabama.
- F.** Establish standards of observation and reporting against which field observers may compare their own techniques.
- G.** Keep or cause to keep the official Alabama State List.

III. Membership

A. Committee

1. Number and Definitions.

The Committee shall consist of seven voting "Members," one of whom may be the "Secretary," each with one vote. If the Secretary is not concurrently a voting Member, an eighth Member will be elected to fulfill the requirement to maintain seven voting Members.

2. Residency

The maximum number of voting Members who, at the time of appointment, do not reside in the AOS area will be two (2).

B. Qualifications. Anyone is eligible to become a Member if, in the estimation of the existing Members, that person has demonstrated an expert ability in and knowledge of field identification of birds, is an Active Member of the Alabama Ornithological Society, actively birds within the AOS area, and participates in the AOS birding community.

C. Members.

1. Election and Term of Office.

a. The seven voting Members shall be elected on a staggered basis, each for a term of three years. Election shall be by vote of a quorum present in person or represented by written ballot at the Annual Meeting of the Committee. Proxies shall not be used in this election, but an absent Member may vote by indicating his choices in writing prior to the meeting. The candidates receiving the largest number of votes shall be elected; if necessary, ties shall be decided by an additional ballot(s) listing only those persons tied. At least one alternate may be selected at this time based on the number of votes received. Election should be by secret ballot if there are more nominees than available positions.

b. Members take office at the close of the Annual Meeting at which they were elected and serve until the close of the third Annual Meeting after election. The Members-Elect may, at the discretion of the Committee, be seated, without vote, during the remainder of the Annual Meeting at which they were elected.

c. Members must retire for one year before they may be considered for re-election.

2. Nominations. Nomination of Members shall be made only by other Members, and only in writing to the Secretary at least 30 days prior to the Annual Meeting. Each nominator may make a maximum of one nomination per each vacancy. It is the responsibility of the nominator to obtain confirmation of willingness to serve from the nominee(s) they submit. If the total number of nominees is not sufficient to fill the vacant seats, it is the responsibility of the Secretary to nominate the number of persons required. The Secretary shall mail the names of the nominees to all Members at least three weeks in advance of the Annual Meeting.

D. Secretary.

1. Qualifications.

The Secretary must have been a Member for at least one year (not necessarily the previous year). The Secretary will be a resident of the AOS area.

2. Election and Term of Office.

a. The Secretary shall be elected for a term to be determined by the Committee, which may include an indefinite term. Election shall be by vote of a quorum present in person or represented by written ballot at the Annual Meeting of the Committee. Proxies shall not be used in this election, but an absent Member may vote by indicating his choice in writing prior to the meeting. The candidate receiving the largest number of votes shall be elected; if necessary, a tie shall be decided by an additional ballot(s) listing only those persons tied. The Secretary, if present, shall conduct the election. All Members, including the candidate, may vote.

b. The Secretary takes office at the close of the Annual Meeting at which he is elected.

c. The Secretary may also concurrently be a Member, elected and serving in the manner and duration of other Members.

d. If the Secretary is serving an indefinite term of Membership, he can be removed from office by a majority vote at the Annual Meeting of the Committee. Votes must be cast in person by attending Members, and proxies shall not be used.

3. Nominations. Nominations for Secretary shall be made only by Members and only at the Annual Meeting, either in person or by letter to an attending Member. Each nominator may make a maximum of one nomination, and may not nominate himself. It is the responsibility of the nominator to obtain confirmation of willingness to serve as Secretary from the nominee they submit.

4. Duties.

a. Receive, circulate, and file all bird records and supporting data submitted to the Committee. Whenever possible the records filed should be originals, as copies fade with age.

b. Vote on bird records (see Voting) and in all elections if concurrently a Member.

c. When possible, procure additional data on records when deemed

desirable by a Member, and especially when a record is to come up for discussion at a meeting of the Committee.

- d. Prior to any meeting, furnish Members with a list of post-second-circulation records to be discussed.
- e. Tabulate the results of all votes of the Committee.
- f. With the approval of the Members, appoint chairpersons of subcommittees.
- g. Call and preside at Committee meetings.
- h. Keep current the Review List, furnish it to anyone upon request, and occasionally publish it in *Alabama Birdlife* and/or *The Yellowhammer*. The secretary will also make sure that a current version of the review list is posted on the AOS web site.
- i. Furnish Members with such equipment as needed, including Validation Forms.
- j. Furnish Members with a list of nominees for membership election at least three weeks prior to the Annual Meeting.
- k. Furnish anyone, upon request, with copies of all evidence, including Committee comments (without Members' names), concerning any accepted or rejected bird record.
- l. Furnish Report Forms to anyone upon request and free of charge.
- m. Keep current, or cause to keep current, a master copy of these Bylaws and assure that they are appropriately applied.
- n. Keep or cause to keep minutes of meetings of the Committee.
- o. Distribute to Members and the Alabama Bird Records Compiler results of voting on completed records circulated prior to the Annual Meeting of the Committee.

E. Vice-Secretary. [deleted]

F. Removals. Any Member who fails to submit a vote on a record to the Secretary within four months of the date on which the Member receives the record is automatically removed from the Committee. The Committee may also remove, for cause, any Member who is in any other way delinquent in their duties. Any removal that is not automatic must be accomplished at a meeting of the Committee and requires that a majority of all other Members vote in favor of removal. Absent Members may vote by written ballot to the

Committee.

G. Vacancies and Special Elections. If the Committee loses a Member during mid-term (through death, resignation, removal, etc.), the Secretary shall immediately conduct an election, termed a Special Election, for the purpose of filling the vacancy. A Special Election may be conducted at a meeting or by individual contact (mail, telephone, etc.), whichever is most expedient in the opinion of the Secretary. The manner of nomination and election shall be similar, with appropriate exceptions, to the regular selection of a Member or Secretary, whichever pertains. The person elected shall serve the unexpired term of the person being replaced.

H. Compensation. Neither the Secretary nor any other Member may receive compensation for services, but may be reimbursed by the Treasurer of the Alabama Ornithological Society for expenses reasonably incurred in the performance of duties.

IV. Meetings

A. Annual Meeting. An Annual Meeting of the Committee shall be held once a year, at a time and place set by the Secretary, in consultation with the Members, for the purpose of election and for transacting such other business as may be brought before the Committee. The Secretary must give to all Members prior notice of the Annual Meeting, together with an agenda and list of nominees for Members.

B. Special Meetings. Special Meetings of the Committee may be called by the Secretary or by agreement of four or more Members. Whoever calls the meeting must notify and provide an agenda to each Member prior to the meeting.

C. Quorum. Four Members in good standing, present in person, not by proxy, shall constitute a quorum for any meeting of the Committee.

V. Bylaws

A. Formation. All Bylaws and other procedures of the Committee are to be determined by and only by the Committee, except that they may not be inconsistent with the Bylaws of the Alabama Ornithological Society or with rules adopted by its Board of Directors.

B. Review. At least once every five years, the Committee will review the Bylaws and update or change them as necessary.

C. Changes. These Bylaws may be changed by a majority vote of a quorum at any Committee meeting. When the Committee changes the Bylaws, it will indicate the revised date on the master copy of the Bylaws.

VI. Bird Records

A. Definitions. For the purposes of this Committee and these Bylaws the following definitions are established:

1. A "record" is considered to be written or other documentation submitted to the Committee as proof of the identity of a sighted, heard, collected, banded, or photographed bird. In the special case of sightings of multiple review list species occurring in the same general geographical location around the same period of time, the Secretary will endeavor to arrange the data provided in separate, reviewable records representing distinct, unique, or 'new' individual birds or groups of individual birds for the species in question.
2. The "Review List" is that most recent list of species that will be accepted for review by the Committee.

B. Records Treated.

1. Records only from the State of Alabama and adjacent waters (as defined in II.A.) will be treated.
2. The species treated will be as determined from time to time by the Committee. In general, the Review List consists of species with fewer than 10 records in the state, and of species with fewer than two records within the last 10 years, as accepted either by the Committee or the Alabama Bird Records Compiler. By majority vote of a quorum at a meeting, the Committee may, as it sees fit, revise the Review List. Records of species not on the Review List, but for which there are no accepted records for Alabama, will be treated. Records for first-generation hybrids of two Review List species will be treated. Records for closely-related species complexes (e.g. Couch's/Tropical Kingbird) will also be reviewed when all members of the complex qualify for the Review List, and where an identification to the singular species involved may not be possible using the evidence presented.
3. The criteria for inclusion on the Review List, and the species listed, will be reviewed at least once every five years.
4. The Secretary will be sure that the Review List is duplicated, made available to all who request it, occasionally published in *Alabama Birdlife* and/or *The Yellowhammer* and posted on the AOS web site.
5. Records based on specimens or bandings will be accepted and treated in the same manner as other records.
6. Any record, whether published or not, old or new, may be submitted by a Member or other person, whether or not an observer, if he has first attempted to obtain details from the observer(s). An exception to this is a record that has received a previous Committee Decision (see Resubmission).

7. Records concerning species that are only locally or temporally rare in Alabama will not be treated.

8. Subspecies will not be treated unless listed as such on the Review List.

9. Records occurring prior to formation of the Committee (20 September 1987), not already considered subsequent to that date by the Committee, shall be evaluated solely by the Alabama Bird Records Compiler. If such evaluation would change the official status of the species on the Alabama State List, this decision will be made in consultation with the Committee.

10. Records occurring on or after formation of the Committee (20 September 1987) for species on the Review List on the date of occurrence, but that have since been removed from the Review List, will be reviewed by the Committee if acceptance of the record would create a new, chronologically-ordered 1st, 2nd, or 3rd, state record. All other records of this type will be evaluated solely by the Alabama Bird Records Compiler if the acceptance would create a 4th or higher chronological state record; consultation with the Committee on these decisions is at the discretion of the Compiler.

C. Submission. Records should be, but need not be, submitted on the Committee's official Report Form. The official form is available to all on the web site of AOS. The Secretary should see that these forms are readily available at no charge to all that request them.

D. Resubmission. A record that has received a final Committee decision, whether accepted or rejected, and even though published in the Committee Annual Report, may be resubmitted by the Secretary, a Member, an observer, or any other person, if and only if there becomes available new and substantial documentary evidence that might reverse the decision. For a record rejected because of questionable origin, such evidence might include the recognition of a natural pattern of occurrence. Such a record must be resubmitted and circulated as if never before submitted, except that it should be accompanied by all previous votes and comments of the Committee, its publication status, and all new evidence marked as such.

E. Circulation Procedures.

1. **Initial Receipt by Secretary.** Upon receipt of a record, the Secretary should do the following:

- a. Affix to it a unique number, consisting of the year of receipt (not the year of observation) followed by a hyphen and the next available unused number, starting with "1", for that year. If a record is represented by descriptions from more than one person, each description should receive the same number followed by a capital letter in sequence beginning with "A".

- b. Record in a safe place at least the name of the reporter, the name of the bird species, the date and locality of the record, and the record's number.
- c. Check the description for completeness and clarity and, if deemed desirable, request additional information from the reporter or other observers. Details thus acquired must be clearly marked as such and kept separate from the original submission; the original submission should not be returned to the reporter except in copy form.
- d. Vote on the record if a Member (see Voting).
- e. Provide the record (along with other records, if desired) to the members for review using the method the secretary deems most appropriate. This could include sending original reports and photos; sending a CD; sending emails; or posting the record on a web site and sending an email to each Member that includes a link to the web site. If a Member requests original reports and photos, the Secretary will send them to the Member.

2. Receipt by Member. Upon receipt of a record, the Member should do the following:

- a. Judge its validity and submit a vote within 3 months.
- b. Send the record to the next Member as soon as possible if the record is being circulated by round-robin postal mailing.
- c. Send the completed Validation Form to the Secretary as soon as possible.
- d. The last Member to vote should return any original, non-digital record to the Secretary.
- e. Proposed lengthy absences from a Member's mailing address should be reported to the Secretary. The circulation may be rerouted to accommodate such absences.

3. Recirculation.

- a. A record shall be recirculated automatically, together with the votes and comments of every member from the previous circulation (without the Members' names), if it does not receive a decision vote on the first round.
- b. If after recirculation the record still has not received a decision vote, it will be kept by the Secretary until it can be discussed at a meeting of the Committee. Before the meeting, the Secretary should distribute the record to each Member to study and consider the record before the meeting, but

no Member is to vote until after discussion at a meeting of the Committee.

c. The Secretary should solicit additional information from the reporter or other observers for any record scheduled to come before the assembled Committee.

d. Prior to each meeting, the Secretary should inform Members of any post-recirculation records scheduled for discussion.

e. A record that has not received a decision vote after two circulations is to be discussed and voted upon at a meeting of the Committee. A record will be accepted if fewer than two "non-accept" votes are cast at this meeting. The final decision must be made at the first meeting in which the record is discussed.

f. Regardless of whether or not a "final" decision is reached during the two circulations (but not at a meeting), the Secretary, any Member, or the Alabama Bird Records Compiler may bring up a controversial record for discussion at a meeting of the Committee.

g. Regardless of whether or not a "final" decision is reached during the first circulation (but not during the recirculation or at a meeting), the Secretary may recirculate a record if he feels that the Committee's comments or those of the Alabama Bird Records Compiler might alter the decision.

h. All decisions are final unless a record is to be resubmitted.

4. Reminder. If the Secretary does not receive a vote on a record from any Member within three months from the date the Secretary transmits that record to the Member, the Secretary will issue a reminder to that Member that a vote is due within three months of the date of receipt of a record and will tell that Member that failure to turn in votes within four months of the date of receipt of a record will lead to automatic removal.

F. Voting.

1. Validation Forms. The vote of each Member, together with his comments, if any, must be submitted on an official Validation Form. This form must include spaces for at least the: (a) record number, (b) name of the species, (c) name of the Member, (d) date of review, (e) number of the circulation, (f) Member's decision, and (g) comments.

2. Voting Categories.

a. Accept.

b. Reject, origin questionable.

c. Reject, identification questionable.

Note: (b) and (c) are both termed "non-accept" votes.

3. Abstentions. Members may abstain from voting, if, in their opinion, they do not personally feel expertly qualified to pass judgement.

4. Secretary Vote. If also a voting Member, on the first circulation the Secretary must vote prior to seeing the comments of any other Member.

5. Comments. On all circulations, votes and abstentions should be supported by appropriate comments. Member comments may provide important information to other Members during subsequent circulations and are frequently used by the Secretary when writing observers about Committee decisions. Providing written comments and opinions with all votes, where appropriate, is to be considered a duty of every Committee Member. When appropriate, the Secretary is empowered to return Member validation forms and request that comments be made supporting their decisions. Members should be aware that all written comments (without Member's names) are considered in the public domain and are open for review by anyone, at anytime, upon request (see also section III.D.4.k. of these Bylaws).

6. Consultations. On the first circulation, a Member should not discuss a record with another Member prior to both having voted. On the second circulation, pre-vote discussions with other Members are acceptable. On any circulation, a Member may consult anyone outside the Committee before Voting.

7. Voting Criteria. Except for the categorization of a species as "Hypothetical" (see below), the criteria used by a Member for acceptance or rejection of a record are an individual matter and should not be treated by these Bylaws.

8. Change in Members.

a. A circulation in progress at the time a new Member(s) is elected to fill an expired term will be completed by the retired Member(s). Subsequent circulations, and hence in some cases final voting, will be completed by the new Member(s).

b. A circulation in progress at the time a Member leaves the Committee before their term expires (e.g. removal or resignation) but before their votes are received, will be completed by the active Members that remain. Any records not reaching a decision with the votes collected will be held open until a replacement Member(s) is elected and is able to review and vote on the undecided records. If significant, new evidence is obtained related to one of these undecided records before they are sent to the replacement Member(s), the Secretary may invalidate the other Member votes previously

collected and recirculate the entire record again, including the new information, to the entire Committee.

If the votes of the leaving Member are received prior to their departure from the Committee, these votes will be recorded and counted in accordance with Bylaw VI.F.10 describing how circulation decisions are judged.

9. Tabulation. The voting results are tabulated by the Secretary after all Members have voted.

10. Decision from Circulations. On any circulation round, with all Members voting:

a. A record is considered accepted if it receives a unanimous "accept" vote.

b. For the first three records of a species, if there is one "non-accept" vote on the initial circulation, the record is recirculated; on the second circulation, the record is accepted if it receives no more than one "non-accept" vote. After three records have been approved for a species, a record is accepted on the first circulation if it receives no more than one "non-accept" vote.

c. A record is considered rejected if it receives any combination of four or more "non-accept" votes.

d. A record is to be recirculated, or after two circulations is to be presented at a meeting, if it receives votes in any combination other than in (a), (b), or (c) above.

11. Voting at Meetings. Voting on records at meetings should be by written ballot of those present.

12. Hypotheticals.

a. For a species not on the state list, any sight record by less than three qualified observers, if accepted, will place that species on the "Hypothetical" list.

b. A species may be moved to the official state list by acceptable physical evidence or by an occurrence witnessed by three or more qualified observers.

c. If a record for a hypothetical species is "accepted" but the physical evidence presented (photo, recording, specimen, etc.) for elevating the species to the full state list is equivocal, a majority of those Members reviewing the evidence must find it to be sufficiently clear to establish

certain the identification before the elevation may be made.

13. Rejected Records. Any rejected record that receives two or more "reject, identification questionable" votes will be published as "not accepted, identification questionable." All other rejected records will be published as "not accepted, origin questionable."

G. Publication.

1. The decisions of the Committee shall be published annually, under the authorship of the Secretary and others if desired, in the form of an Annual Report, in *Alabama Birdlife*. A section of this Annual Report shall be devoted to bringing the Alabama State List up to date.
2. The published data for accepted and rejected records should include at least the name of the species, date(s) of observation, and locality. The names of all contributors may be published in a summary paragraph for the purpose of crediting those who made the discovery and/or provided documentation connected with a record. No connection will be indicated between these names and a specific record. The phrase "not accepted" should be used instead of "rejected." Other data may be added at the discretion of the Secretary and Members.
3. Publication of a full account of an occurrence should not take place until after acceptance by the Committee.

These Bylaws are a modification of the Bylaws of the Western Field Ornithologists' California Bird Records Committee.

Greg D. Jackson
20 September 1987

Revised 10 February 1990 [III.C.1.a., III.D.2., VI.G.]

Revised 13 October 1990 [III.A., III.C.1.a., III.C.2., III.D.2.a., III.D.3., III.D.4.h., III.D.4.n., III.E., IV.B., VI.B., VI.F.2.]

Revised 10 October 1992 [VI.F.3., VI.F.5., VI.F.12., VI.G.3.]

Revised 16 April 1994 [III.D.2.a., III.D.2.b., III.D.2.c., VI.F.13., VI.G.2.]

Revised 22 April 1995 [VI.F.10.]

Revised 10 October 1995 [II.A.]

Revised 15 February 1998 [change "Voting Member" to "Member" throughout document;

III.A., III.C.1.a., delete III.C.1.d., delete III.D.1.a., III.D.4.m., VI.B.2., VI.F.4., VI.F.5.]

Revised 28 October 2001 [III.C.2., III.D.3., VI.A.1., VI.A.2., VI.F.5., VI.F.12.c.]

Revised April 17, 2004 [III.C.1.d., III.D.1.a., III.D.4.h., III.F., III.H., V.B., V.C., VI.B.4., VI.C., VI.E.1.e., VI.E.2.b., VI.E.2.c., VI.E.2.d., VI.E.3.b., VI.F.11., VI.F.12.b.] [grammar changes, deletion of the notation “deleted,” adding references to the AOS website, authorizing digital record distribution and directing the Secretary to distribute for study records pending after recirculation]

Revised November 15, 2005 [III.F, VI.B.2, E.2.a, E.4, F.4][changing the provision on removal of a member; changing the review list from under 20 "acceptable" records to fewer than 10 or fewer than 2 in last 10 years; revising the requirement for the timing of the secretary's vote; imposing a time limit on any member's vote; and imposing a duty on the secretary to remind any member who has not voted within three months]

Revised March 2, 2007 [III.A, C.1.a, D.1&2, D.4.b, D.4.o, VI.B.9, E.1.d, E.3.e-g, F.4][changed Secretary's term from two years to one determined by Committee; added provision for eighth Committee position when Secretary is not a voting member; added provision for Secretary to either be voting or non-voting member; added requirement for Secretary to distribute vote decisions for review by members and State Bird Records Compiler prior to next annual meeting; added provision for Committee review of pre-1987 historical state records when addition/deletion of record would change the official state list; clarified procedure for deciding meeting votes; added State Bird Records Compiler to those who may request a decided record be discussed at the next annual meeting and whose comments may be used by the Secretary when circulating a record decided after one circulation for re-review]

Revised November 25, 2009 [III.A.1&2, B, D.1][revised residency requirement to allow up to two (2) Members who do not reside in the AOS area; added qualification that Members actively bird within the AOS area and participate in the birding community; added requirement that Secretary be a resident of the AOS area]

Revised November 10, 2010 [I.C & VI.B.2][added definition of AOS Area; clarified Committee treatment of hybrids and species complexes]

Revised January 15, 2012 [VI.B.10, F.8, & G.2] [added clarification on handling post-ABRC creation records no longer on the Review List; added directions on how to complete an active record set vote if a Member leaves before their term is expired; revised public reporting instructions to allow publishing names of record contributors]

[end]