

**BYLAWS OF THE RHODE ISLAND AVIAN RECORDS COMMITTEE**  
**Revised 20 Feb 09**

**I. Name**

The name of the organization shall be the Rhode Island Avian Records Committee, hereafter referred to as the “Committee.”

**II. Purpose**

To evaluate documentation for unusual occurrences of birds in Rhode Island and its adjacent ocean waters, through application of consistent, rigorous, and impartial procedures, toward the greater goal of preserving an accurate and reliable historical record of Rhode Island’s birds.

**III. Tasks**

- A. To establish and maintain an official Rhode Island Checklist. This list shall consist of:
1. All those species (here and below, species limits and names will follow the most current edition of the American Ornithologists’ Union’s *Check-list of North American Birds* and its Supplements) whose natural occurrence in Rhode Island is supported by documentation deemed adequate by the Committee; and
  2. Other avian taxa, above or below the species level, whose natural occurrence in Rhode Island is likewise supported by documentation deemed adequate by the Committee, and whose taxonomic identities are deemed stable and significant enough by the Committee to warrant inclusion on the state list.
- B. To establish and maintain a Review List—a list of taxa, reports of which require documentation and Committee review for inclusion in the historical record. The Review List shall include those taxa on the Rhode Island Checklist that are:
1. vagrants to Rhode Island;
  2. rare in Rhode Island and difficult to identify; and
  3. probably rare in Rhode Island but identifiable mainly or exclusively by voice.
  4. In addition, reports of birds not presently on the Rhode Island Checklist, but believed by the observer(s) to have occurred naturally in Rhode Island, are requested for review.
- C. To establish procedures for submitting reports to the Committee.
- D. To establish procedures for the evaluation of reports submitted to the Committee.
- E. To evaluate reports submitted to the Committee.
- F. To maintain permanently the documentation accompanying reviewable reports of Rhode Island birds and all Committee votes and comments on these for future reference.
- G. To publish Annual Reports detailing all reports evaluated by the Committee.
- H. And through these means to enhance the scientific value of sight records and to encourage the birding community in carefully observing, recording, and reporting birds.

#### **IV. Membership**

A. Composition. The Committee shall consist of seven members, including a Chair and a Secretary.

B. Qualifications. Anyone is eligible who has demonstrated ability in field identification of Rhode Island birds and ability and willingness to fulfill the Committee's purposes in a fair, impartial, and timely manner.

#### C. Election and Term of Office

1. Members shall be elected on a staggered basis, each for a term of three years. Election shall be by vote of at least a quorum of members personally present at a meeting, plus any written votes received by the Secretary from absent members. Open positions will be filled by the candidates receiving the largest number of votes; if necessary, ties shall be decided by an additional ballot listing only those persons tied. The members of the Committee present at the initial adoption of these Bylaws will be assigned initial terms, by lot or by consensus, such that two members' initial terms will expire three years after the Bylaws are adopted, two others' after four years, two others' after five years, and the last after six years. Each of these initial terms will be considered one "full term" for the purpose of determining term limits.

2. Members take office at the close of the meeting at which they were elected, and serve until the close of the third Annual meeting after their election or until their successors are elected.

3. Members must retire after two consecutive full terms, and must wait until the next Annual Meeting before they may be considered for reelection

3. Nominations: Nominations for membership openings may be made by any member but must be submitted in writing to the Secretary at least 30 days prior to the Annual Meeting. Each nominator should determine in advance whether his or her nominee is willing to serve on the Committee. If the total number of nominees is not sufficient to fill the vacant seats, it is the responsibility of the Chair to make additional nominations.

#### D. Chair

##### 1. Election and Term of Office

(a) The Chair shall be elected from among the members for a term of two years, and may serve an unlimited number of terms.

(b) Election shall be by a vote of at least a quorum of members present in person at a meeting of the Committee, plus any others represented by written ballots. The candidate receiving the largest number of votes, and at least four votes, shall be elected. If no single candidate receives at least four votes, a run-off will be conducted between the two candidates receiving the most votes.

(c) The Chair takes office at the close of the meeting when elected and serves until the close of the second Annual Meeting after election, or until a successor is elected.

(d) The Chair must notify the Secretary by mail at least three weeks in advance of the Annual Meeting of a willingness to continue in office or an intention to retire.

2. Nominations: Nominations for the Chair may be made by any member.

3. Duties: The Chair is expected to:

- (a) Call and preside at Committee meetings.
- (b) Ensure the proper application of the Bylaws.
- (c) With approval of the Committee, appoint a Secretary.
- (d) Procure additional data on reports and records when deemed desirable, especially when a report requires discussion at a meeting of the Committee.
- (e) Prior to each meeting, furnish the Secretary with a list of records and/or topics to be discussed.
- (f) With approval of the Committee, appoint chairs of subcommittees when deemed appropriate.
- (g) Furnish or cause to be furnished to anyone upon written request, a current Review List, and copies of all appropriate evidence, including Committee comments on reviewed records.

#### E. Secretary

1. Appointment and Term of Office

- (a) The Secretary will be appointed by the Chair with the approval of the Committee.
- (b) The Secretary may serve an unlimited number of two-year terms.
- (c) The Secretary takes office at the close of the Annual Meeting at which appointed and serves until the close of the second Annual Meeting after appointment or until a successor is appointed.

2. Duties: The Secretary is expected to:

- (a) Keep or cause to be kept the minutes of the Committee meetings.
- (b) Receive, circulate, re-circulate, and file all bird records and supporting data submitted to the Committee.
- (c) Tabulate results of all votes of the Committee.
- (d) Keep current a master copy of these Bylaws.
- (e) Serve as Chair *pro tem* in brief emergencies when the Chair is unable to perform his or her duties.

F. Removals: The Committee may remove, with cause, any member or officer who is delinquent in his or her duties or acts in a manner that reflects poorly on the Committee. Such action requires a vote of the majority of all members, and must be accomplished at a meeting of the Committee.

G. Vacancies and Special Elections: If the Committee loses a member during mid-term, the Chair shall immediately conduct an election, termed a Special Election. A Special Election may be conducted at a meeting or by individual contact, whichever is most expedient in the opinion of the Chair. The person elected to fill the vacancy shall serve the unexpired term of the person replaced, and subsequently shall be eligible to serve additional terms.

#### V. Meetings

A. Annual Meeting: An Annual Meeting of the Committee shall be held at a time and place set by the Chair, for the purpose of conducting elections and for transacting such other business as may be brought before the Committee. An agenda and list of nominees for members shall be provided at least three weeks prior to the Annual Meeting.

B. Special Meetings: Special Meetings of the Committee may be called by the Chair, or by agreement of any five or more members. Whoever calls the meeting must notify and provide an agenda to all members prior to the meeting.

C. Quorum: Five members present in person shall constitute a quorum for any meeting of the Committee.

D. Participation of non-members: The Chair may, with prior consultation of the Committee, invite non-members to attend non-voting portions of Committee meetings.

## **VI. Bylaws**

A. Formation: All Bylaws and other procedures of the Committee are to be determined exclusively by the Committee.

B. Review: The Bylaws shall be reviewed regularly, at least once every five years, by the Committee.

C. Amendments: These Bylaws may be amended by an affirmative vote of all or all but one of a quorum at any Committee meeting.

D. Other decisions: All Committee decisions which are not described explicitly elsewhere in the Bylaws shall be made by a majority vote of the Members.

## **VII. Bird Reports and Records**

A. Definitions: For the purposes of this Committee and these Bylaws, a “report” is considered to be documentation submitted to or obtained by the Committee supporting the identity or breeding of a bird or birds deemed appropriate for review by the Committee at the time of the actual observation. A “record” is a report that has been acted on by the Committee.

B. Reports Appropriate for Review by the Committee:

1. Only reports from Rhode Island and its adjacent ocean waters will be reviewed. For the Committee’s purposes, the boundaries of Rhode Island are defined to include all of the land area of the state (677,120 acres or 1,058 square miles) with its enclosed bodies of fresh water, together with offshore waters extending approximately 125 miles southward from the mainland shore. These waters are bounded on the east by a line which continues the Little Compton-Acoaxet (Massachusetts) boundary offshore at an angle slightly east of south to a point where waters reach 1,000 fathoms in depth. Offshore waters are bounded on the west by a line running roughly southeast from a point mid-way between the west end of Napatree Point and Fisher’s Island, New York. This line travels to a point equidistant from Dickens Point, Block Island and Montauk Point, Long Island, and then due south to a point of 1,000 fathoms depth. The 1,000-fathom line, which runs approximately east-northeast and west-southwest parallel to the mainland coast, is used as a southern boundary for Rhode Island offshore waters as suggested by Gordon (*Auk* 72: 81-82).

2. All reports of species not previously known to have occurred naturally in Rhode Island (i.e., not named on the state Checklist), and all reports of breeding in Rhode Island by species never previously documented as breeding in the state, also require Committee review. Reports of taxa above or below the species level that would be new to the state will be evaluated at the discretion of the Committee.
3. Any report of a taxon on the Review List will be reviewed.
4. Reports involving birds that are temporally rare, or geographically or ecologically rare within the state, will be evaluated at the discretion of the Committee.
5. The Committee may review published documentation concerning unusual occurrences of birds, otherwise conforming to the criteria described above, even when this documentation has not been submitted expressly to the Committee.
6. The Committee regards previous editions of the “Checklist of Rhode Island Birds,” R. L. Ferren’s “Birds of Rhode Island” manuscript (currently in press), and summaries of reviewed records previously published in “Field Notes of Rhode Island Birds” as foundations for its work, but recognizes that some historical records are deserving of review by a duly constituted Committee.
7. All reports deemed appropriate as described above will be reviewed impartially, based on the evidence available, regardless of whether the evidence consists of specimens, banding, photography, audio or video recording, or written descriptions.

C. Submission of Reports. Reports may be submitted in any form, including written, photographic, digital image, video, audio recording, drawing, or specimen. However, each record should be accompanied by written details that include, at minimum, the species being reported, the name(s) of the person(s) submitting the record, the name(s) of the observer(s), the location, and the date(s) of the observation; additionally, a written description of the bird should be strongly encouraged.

#### D. Revisiting past Decisions

1. A record that has received a final Committee decision, whether Accepted or not, may be revisited upon request by any member. The request may be made orally at a meeting or in writing at any time.
2. A member’s right to a re-review should be used on very few occasions and should in general be based on new evidence—either directly relating to the original report, or to major shifts in review criteria.
3. The requesting member shall provide a written synopsis of his or her concerns, clearly indicating the reasons for re-visiting the record, identifying new evidence, and focusing the committee’s attention on the appropriate issues. This synopsis must be accompanied by all original documentation and all prior votes and comments of the Committee relating to the record in question.
4. For a re-review of an Accepted record, a majority vote to Not Accept is required to overturn the previous decision. Three votes to Not Accept will trigger a second and final round of review.
5. For a re-review of a record previously Not Accepted, six or seven votes to Accept are required to overturn the previous decision. Four or five votes to Accept will trigger a second and final round of review.
6. Past decisions regarding Natural Status should not, in general, be re-visited, as these represent a particular committee’s interpretation of prevailing probabilities at a particular

time. Under exceptional circumstances, such decisions may be overturned via a unanimous vote.

#### E. Circulation

1. Receipt by Secretary. Upon receiving a report, the Secretary should:
  - (a) Affix to it a unique number, consisting of the year of the sighting, followed by a hyphen, then the next available number, starting with "1" for that year. If more than one observer reports what seems almost certainly to be the same individual bird(s), each independent submission should receive the same number plus a letter designation.
  - (b) Record in a master file the name of the bird(s), name of the reporter, date and location of the observation, and the report's number and letter(s).
  - (c) At quarterly intervals, send newly received reports to the members, along with a cover sheet indicating the number(s) included in the package.
2. Receipt by a member: Upon receipt of these, each member should:
  - (a) Evaluate the reports independently of all other members, vote, and write a review. The entity under review shall be the set of reports pertaining to a particular ornithological occurrence (i.e., those bearing the same number). Some votes to Accept might require very little explanation, but it is critically important that votes to Not Accept be accompanied by written reviews. In subsequent rounds of voting, all votes must be supported by comments.
  - (b) On some occasions, a member may be aware of exceptional circumstances surrounding a particular report that he or she feels strongly need to be communicated with the rest of the Committee. In such cases, the member may vote to Defer and should immediately consult the Chair. Relaxation of the independence of first round votes should be undertaken only if a member feels strongly, and the Chair agrees, that proceeding as usual would be likely to produce a spurious vote. Examples of circumstances justifying a vote to defer in the first round include:
    - i. a member's awareness of new or hard to find research directly relating to the identification problem in question.
    - ii. a member's awareness of additional, critical, documentation relating to the observation(s) in question, which was never submitted to the Committee.
    - iii. a member's awareness that multiple reports pertaining to the same observation have been given separate numbers, or that reports pertaining to multiple observations have been conflated under the same number.
  - (c) Send the completed reviews to the Secretary as soon as possible.
3. Recirculation.
  - (a) If a decision is not received after the first vote, the record shall be recirculated together with the comments of all members.
  - (b) If after a second vote the record has not received a decisive vote, comments of all members will be circulated and a decision will be postponed until it can be discussed at a Committee meeting.
  - (c) After said discussion members shall vote for a final decision.

#### F. Voting

1. Voting categories.
  - (a) Accept

(b) Natural Status Uncertain. This category implies that the status of the reported bird(s) is regarded as likely to have been natural, but not at a sufficient level of certainty to warrant unqualified acceptance, and that the report is in every other respect acceptable. In instances where a member regards the status of the reported bird(s) as unlikely to have been natural, the appropriate category is Not Accept. Natural Status implies that a bird originated in a natural population, either native or established in the wild, and arrived in Rhode Island by virtue of its own actions.

(c) Not Accept

(d) Defer. (see above, under E2(b), and below, under F3(a)).

2. Consultations. During the first round of voting, members must not discuss the reports or their views thereof with one another, but they may solicit information from persons outside the Committee having particular knowledge of the taxa or the individual bird(s) in question.

3. Decisions.

(a) Vote To Defer. If one or more members votes to Defer in the first round, the member(s) voting to Defer must immediately consult the Chair. If other members have already submitted to the Secretary what would ordinarily have constituted a decisive combination of votes on the report(s) in question, the report(s) will automatically be tabled for discussion at the next meeting of the Committee, and explanatory material will be circulated prior to that meeting. In other cases, the member(s) voting to Defer and the Chair may choose to contribute additional information concerning the report(s) in question to first round deliberations.

(b) First Round [with no vote(s) to defer]

(i) Reports receiving six or more votes to Accept are deemed "Accepted."

(ii) Reports receiving six or more votes for Natural Status Uncertain are deemed "Natural Status Uncertain."

(iii) Reports receiving five or more votes to Not Accept are deemed "Not Accepted."

(iv) Reports receiving any combination of first round votes other than those described above will be re-circulated to all members for a second round of review.

(c) Second Round

(i) In the second round of review, any combination of votes that would have been decisive in the first round, as defined above, is deemed decisive in the same manner.

(ii) Reports receiving four votes to Not Accept are deemed "Not Accepted."

(iii) Reports receiving five or more votes for Natural Status Uncertain and no more than one vote to Not Accept are deemed "Natural Status Uncertain."

(iv) If the second round does not produce a decisive combination of votes, as defined above, the record will be brought before a meeting of the Committee for discussion, and voted on again.

(d) Third Round

(i) Any combination of votes that would have been decisive in the second round, as defined above, is deemed decisive in the same manner.

(ii) Reports receiving five votes to Accept and no more than one vote to Not Accept are deemed "Accepted."

(iii) Reports receiving two or more votes to Not Accept are deemed “Not Accepted.”

(iv) Reports receiving three or more votes for Natural Status Uncertain and no more than one vote to Not Accept; or two votes for Natural Status Uncertain and four votes to Accept; are deemed “Natural Status Uncertain.”

4. Changes in Committee membership. A ballot in progress at the time a new voting member is elected should be completed by the retiring voting member. Subsequent circulations of that ballot should be completed by the new voting member. Circulation of reports should be timed to avoid this to the extent possible.

#### G. Publication.

1. The decisions of the Committee shall be published annually, under the authorship of the Chair and/or others, in the form of an Annual Report.

2. The published data for Accepted records, including those whose Natural Status is deemed Uncertain, will include at least the name of the bird, date(s) of observation, locality, and the reporting observer(s). Other data may be added at the discretion of the authors.

3. Records Not Accepted should also be published, with the above data, except that the observer's name(s) should not be included in the record.

4. The Committee will publish an official Rhode Island Checklist.



## SUMMARY OF VOTING CATEGORIES

**Green** =Accept    **Yellow** =Next Round    **Red** =Not Accept    **Blue** =Natural Status Uncertain

Round 1			Round 2			Round 3		
Accept	Natural Status Uncertain	Not Accept	Accept	Natural Status Uncertain	Not Accept	Accept	Natural Status Uncertain	Not Accept
7	0	0	7	0	0	7	0	0
6	1	0	6	1	0	6	1	0
6	0	1	6	0	1	6	0	1
5	2	0	5	2	0	5	2	0
5	1	1	5	1	1	5	1	1
4	3	0	4	3	0	4	3	0
4	2	1	4	2	1	4	2	1
3	3	1	3	3	1	3	3	1
2	4	1	2	4	1	2	4	1
3	4	0	3	4	0	3	4	0
2	5	0	2	5	0	2	5	0
1	6	0	1	6	0	1	6	0
0	7	0	0	7	0	0	7	0
0	6	1	0	6	1	0	6	1
1	5	1	1	5	1	1	5	1
5	0	2	5	0	2	5	0	2
4	1	2	4	1	2	4	1	2
3	2	2	3	2	2	3	2	2
2	3	2	2	3	2	2	3	2
1	4	2	1	4	2	1	4	2
0	5	2	0	5	2	0	5	2
4	0	3	4	0	3	4	0	3
3	1	3	3	1	3	3	1	3
2	2	3	2	2	3	2	2	3
1	3	3	1	3	3	1	3	3
0	4	3	0	4	3	0	4	3
3	0	4	3	0	4	3	0	4
2	1	4	2	1	4	2	1	4
1	2	4	1	2	4	1	2	4
0	3	4	0	3	4	0	3	4
2	0	5	2	0	5	2	0	5
1	1	5	1	1	5	1	1	5
0	2	5	0	2	5	0	2	5
1	0	6	1	0	6	1	0	6
0	1	6	0	1	6	0	1	6
0	0	7	0	0	7	0	0	7