

# **BYLAWS of the WEST VIRGINIA BIRD RECORDS COMMITTEE**

## **I. NAME**

This Committee shall be known as the West Virginia Bird Records Committee, hereafter referred to as the “Committee.”

## **II. PURPOSE**

- A. To assess the validity of the sightings of rare or unusual birds reported in the state.
- B. To maintain permanently the original bird records as defined below and all Committee votes and comments for the use by present and future ornithological students.
- C. To publish annually in *The Redstart* the decisions of the Committee.
- D. To establish standards in the methods of collecting and submitting quality field data.
- E. To maintain a list of the birds known for West Virginia.

## **III. MEMBERSHIP**

- A. The Committee shall consist of seven voting members and a non-voting Secretary. The members shall elect a chairman who will assume the duties normally associated with the office and a vice-chairman who will assume the duties of the chairman in his absence. The editor of the “Field Notes” section of *The Redstart* will be a permanent advisor to the Committee. This advisor would not have a vote unless he/she were also an elected member of the Committee.
- B. Members of the Committee shall be residents of West Virginia who have expertise in the identification of birds, knowledge of the birds of West Virginia, and familiarity with the various habitats and localities in the state.
- C. Members of the Committee will serve a term of five years. The term shall expire at the conclusion of the annual meeting. The retiring member will be ineligible for immediate reelection to a new term, but will be eligible for election in a subsequent year.
- D. New members of the Committee shall be elected by the Committee. Each year, three months before the date at which terms end, the Chairperson shall solicit nominations from members of the Committee and other members of the birding community in the state. These nominations will be submitted to the members of the committee by the Secretary for voting.

In the case of a vacancy caused by death or resignation, a replacement to serve the remaining portion of the unexpired term shall be elected by the remaining members of the Committee.

- E. The Chairperson shall be elected by the Committee and may be rotated among the members. The Chairperson shall, or appoint a Committee Member to, do the following:
1. Prepare the agenda for and oversee the annual meeting.
  2. Solicit from the Committee Members recommendations for a date and location of the annual meeting. This can happen at any time during the year, likely coinciding with the Secretary's mid-year dispersal of voting records, but shall be done at least 6 months prior to the annual meeting (Feb/Mar).
  3. Prepare an annual summary report of the Committee's meeting and actions for publication in *The Redstart* and distribution through any social media deemed appropriate by the Committee (WV List-serv, Facebook, birding club newsletters, etc.).
  4. Prepare records and voting summaries for publication on the Records Committee's website.
  5. At the beginning of the calendar year, publicly solicit nominations and/or volunteers for upcoming vacancies on the Committee.
  6. Publicly appeal for the submission of Rare Bird Reports for any species Report not available to the Secretary.
  7. Prepare and mail letters to those persons who submit Rare Bird Reports with the gratitude of the Committee, congratulations on having the Report accepted, and/or an explanation as to why their Report was rejected. This will happen soon after the conclusion of the annual meeting.
- F. The Vice-Chairperson shall be elected by the Committee and may be rotated among the members. The Vice-Chairperson shall:
1. Assume the responsibilities of the Chairperson if he/she is unable to complete his/her term as Chairperson.
  2. Assist the Chairperson in the oversight, completion, and/or assignment of the duties listed above.
- G. Committee Members shall:
1. In a timely manner, submit voting forms and commentary to the Secretary.
  2. Assist the Chairperson and Secretary in the fulfillment of their duties.
  3. Endeavor to attend all annual meetings as their schedule allows.
- H. The Secretary shall do, or solicit assistance from the Committee in doing, the following:
1. Maintain the Official "List of West Virginia Birds."
  2. Maintain the Review List.
  3. Maintain the Official "Exotic List of West Virginia Birds."
  4. Coordinate records with the staff of the Wildlife Diversity Program, Division of Natural Resources, Office of the WV State Ornithologist, and other public programs/offices as needed.
  5. Maintain a list of current Committee Members for publication on the BRC website.
  6. Receive materials documenting a submitted Rare Bird Report.

7. Periodically prepare a packet of all the Reports accumulated and a voting form to send to the members of the Committee.
  8. Tabulate said Report votes.
  9. Receive solicitations/nominations for prospective Committee Members and distribute those names for voting at the annual meeting.
  10. Tabulate said Membership votes.
  11. Maintain the original bird Reports and all Committee votes and comments for the use by present and future ornithological students.
  12. Maintain the Bylaws of the Committee.
- I. In addition to the members of the Committee, there shall be elected an alternate member who shall agree to take the place of a member of the Committee who resigns therefrom, or is otherwise unavailable to serve as a member, before the end of his or her term. In the event the alternate member takes the place of a member, the alternate member shall serve out the remainder of the resigning member's term. The Secretary shall provide the alternate member with all materials provided to regular members, and the alternate member shall be invited to all meetings of the Committee, but the alternate member shall not have a vote at any meeting prior to the resignation of a member. A replacement alternate member shall be elected at each meeting during which an alternate member takes the place of a resigning member.

#### **IV. BIRD RECORDS**

- A. A "Record" shall consist of the written documentation or other information submitted to the Committee as proof of the identity of a sighted, heard, collected, banded, or photographed bird.
- B. Records shall be submitted to the Committee for the following species of birds:
1. Species that have not previously been on the "List of West Virginia Birds" (hereafter referred to as the "List") as defined below.
  2. Species which have been listed as "Hypothetical" on the "List."
  3. Species on the "List" for which there are fewer than five accepted records.
  4. Species on the "List" which have not been sufficiently documented in a preceding period of 10 years.
  5. Species on the "List," which would meet above "Review" criteria outside of a small, defined geographical area, when the species appears outside of said area.
- C. The documentation accompanying a "Record" should consist of a "Record Committee Report Form," any photographs that have been taken of the bird, any recordings of vocalizations that have been made, or any specimens that have been obtained. If several people have been involved in the sighting each could independently submit a Record Committee Report Form. In such a case the multiple reports still constitute a single record.

## V. THE LIST OF WEST VIRGINIA BIRDS

- A. The “List of West Virginia Birds” shall consist of:
1. Those species on the “Regular” list in *West Virginia Birds* (G. A. Hall 1983).
  2. Those species added to the Regular List in “Supplement III to the List of West Virginia Birds” REDSTART, 58:107-109 (1991) or any subsequent Supplements that may be published.
  3. Those species accepted for the list by the Record Committee.
- B. The “Hypothetical” List shall consist of those species given Hypothetical status in *West Virginia Birds* (G. A. Hall 1983) or the published Supplements or those placed on the list by Committee action. This category should be reserved for records that are probably correct but fail to meet all the requirements of acceptance (e.g., records by single individual not including definitive supporting material).
- C. A “Review” list shall be kept listing those species for which records should be submitted to the Committee, as defined above. The Secretary shall be responsible for keeping this list, adding new species accepted by the Committee, deleting species for which the accumulated number of records exceeds 5, adding species which have not been sufficiently documented in a preceding period of 10 years, and adding species outside of strict geographic boundaries at the Committee’s discretion.
- D. The nomenclature and taxonomy of the species on the “List” shall be updated by the Committee as necessary as the AOS Checklist Committee publishes changes in the North American List.
- E. The criteria used in judging the Records of birds new to the West Virginia List shall be those used in *West Virginia Birds* (G. A. Hall 1983) modified as follows:
1. Specimens collected in the state can be accepted if examined by members of the committee.
  2. Physical Evidence (including, but not limited to: photographs, audio recordings, DNA sampling, geospatial location data) of the bird in the state can be accepted if examined by members of the committee.
  3. The bird has been handled by a bander and released, provided the bander and his associates have been judged competent by the committee.
  4. One or more documented observations, each of which involved at least three persons having previous experience with the species.
  5. There have been five documented observations over the years by persons having previous experience with the species, but for which fewer than three persons were involved in each sighting.
  6. If a species is already on the “Regular WV State List” and there is a second through

fifth record submitted, these new submissions do not have to meet the same requirements as a FIRST state record acceptance (e.g. specimen, photograph, three persons, etc.). The new record is either accepted or rejected on its own merits. It does NOT become a “Hypothetical”.

7. The “Hypothetical” category ONLY applies to records submitted that do not meet the criteria for the “Regular WV State List” AND the submitted species is NOT currently on the “Regular WV State List”, Subsequent submissions on the species can be:
  - a. Accepted to the “Regular WV State List”
  - b. Placed again as a “Hypothetical”
  - c. Rejected

## **VI. COMMITTEE PROCEDURES**

- A. The Secretary will receive the material documenting the submitted record. This shall include a completed “Record Committee Report Form,” any photographs, or recordings, and any other documentation. A registry number shall be assigned to each record.
- B. Periodically, the Secretary will prepare a packet of all the records accumulated and a voting form to send to the members of the Committee.
- C. The members of the Committee will individually evaluate the records. They should not confer with other members of the Committee. After evaluating the record, the member should vote for or against the record and if voting for a record, should also vote for placement on the “Regular WV State List”, “Hypothetical” or “Exotic” List. The members of the Committee should return their ballots to the Secretary within one month.
- D. The Secretary shall tabulate the results. A record for which the vote is unanimously positive is accepted. A record for which the vote is unanimously negative is not accepted. Records for which the votes are not unanimous are subject to a second voting.
- E. In the case of second votes, the Secretary will send out the original data plus the written comments made on the first balloting. On the second voting, a vote of 7 for and 0 against or 6 for and 1 against will be accepted and all other combinations rejected. In exigent circumstances the committee may elect to have a third “face to face” meeting to decide the validity of a record. A quorum of five voting members must be present and the majority shall prevail. Once a decision has been made, the Committee shall notify the presenter of the record of the decision. In the case of a rejected record, the reasons for rejection shall be given in the hope that additional information can be obtained and the record resubmitted.
- F. The Committee is free to call on outside expert opinion in cases where the members of the Committee do not feel competent to decide the validity of the identification.
- G. The Chairman of the Committee will prepare or cause to be prepared an annual report of the decisions of the Committee, and this report shall be published in *The Redstart*.

- H. For each new species accepted for the state list the person making the record shall be encouraged to write a paper describing the details of the record for *The Redstart*.
- I. The Committee shall hold an annual meeting between February 14 and March 14. The date and location to be set six months in advance. Any member may call a meeting with the consent of 2/3 of the committee with a two-month notice.
- J. Five members present shall constitute a quorum and a simple majority vote shall prevail.

## **VII. REVISION OF BYLAWS**

These Bylaws can be revised by a unanimous vote of the Committee.

## **VIII. EFFECTIVE DATE**

These Bylaws shall be effective from March 1, 2020.

## **IX. LITERATURE CITED**

*West Virginia Birds*. Hall, G.A. 1983 Special Publication No. 7. Carnegie Museum of Natural History, Pittsburgh, PA 15213. 180 pp.