

Bylaws of the Montana Bird Records Committee
Adopted 24 October 2003
Last amended 8 February 2010

This document serves as the operating Bylaws for the Montana Bird Records Committee. It describes the function, membership, and activities of the committee in detail and includes the following sections:

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I. NAME

The name of this committee is the Montana Bird Records Committee, abbreviated MBRC, and referred to hereafter as "the Committee."

II. DUTIES

The Committee exists to serve Montana professionals and amateurs interested in bird distribution by promoting and maintaining a high degree of quality, integrity, and professionalism in Montana ornithology. The Committee should be viewed as the logical and convenient clearinghouse with regard to records of Montana birds. This does not imply, however, that the Committee should regard itself or be regarded by others as a binding or absolute arbiter on any matters in which it is involved. Others are free to publish on matters regarding any facet of Montana birds, and the Committee welcomes this as a valid contribution to Montana ornithology. Individuals are free to dispute in the open literature any published opinions of the Committee, and vice versa.

The Committee shall have three main functions of equal importance:

A. To solicit, review, and verify reports, documentation, photographs, sightings, tape recordings, specimens, or other material relevant to the distribution of the birds of Montana. Such materials, to be housed by Montana Audubon in conjunction with the Montana Natural Heritage Program, serve as reference and research materials for professional and amateur ornithologists and are the basis for the official list of known birds for the state. They are the primary source material for Montana Bird Distribution, the official atlas of bird occurrence in the state. Committee members shall serve as a primary conduit to make sure that rare birds are reported and the reports verified following submission of appropriate documentation.

B. To review at least once per calendar year the documentation submitted to the Committee for species new to the state or of sufficient rarity (locally, regionally, or statewide) to merit such review. In so doing, to offer an objective, scientifically based opinion of the validity of these reports, and to maintain an official list of the birds recorded for Montana and an official tally of the number of accepted records for each "rare" species, defined as a species that has been documented 20 or fewer times in the state. The decisions of the Committee, along with a discussion of the materials reviewed and the rationale, if appropriate, will be conveyed personally to each observer within one month of the Committee's decision. In addition, all decisions will be posted on Montana Audubon's Web site and printed in Montana Audubon's newsletter at least once per year. Each time the Committee publishes its results, the state list will be updated accordingly, with the following specific information for each species:

(a) Whether the species was entered onto the state list on the basis of a known and verified specimen; irrefutable photographic, video, or audio recordings; or sightings from two or more independent observers whose reports were reviewed and accepted by the Committee;

- (b) Whenever possible and where appropriate, the number of accepted records known from Montana, broken down into the above categories;
- (c) Summary of the past and present breeding status of the species in Montana; and
- (d) Notation indicating for which species the Committee desires continued documentation, with the type of documentation specified where appropriate (e.g., photographic documentation or specimen still needed).

C. To act as ambassadors for the role that scientifically rigorous review of bird reports plays in maintaining a meaningful list of Montana birds, and of the important role that birders can play in furthering our understanding of bird distribution. This will involve disseminating information formally and informally regarding the identification, distribution, and seasonal occurrence of birds in the state. It will require that Committee members take a personal responsibility to ensure that a sincere effort is made to verify and document rare birds reported in the state, especially in each member's local geographic area. As an example of the latter, Committee members should strive to personally verify (or make certain that other reliable observers have verified) reports of all rare birds within 80 km (50 miles) of their residence.

III. RESPONSIBILITIES

The Committee is an autonomous body of bird experts that work with, but are not under the supervision of, Montana Audubon and the Montana Natural Heritage Program. The results of the Committee's work will be provided to Montana Audubon and the Montana Natural Heritage Program and will be entered into the Montana Bird Distribution database. Archival material (e.g., original rare bird report forms, photographs, tape recordings, minutes of Committee meetings, etc.) will be housed at the Montana Natural Heritage office. As stated in Part II(B) above, summaries of the Committee's activities will be made available on the Montana Audubon Web site each year. A signed Memorandum of Understanding that outlines the respective responsibilities of each party will be developed between the Committee and Montana Audubon and between the Committee and the Montana Natural Heritage Program.

IV. MEMBERSHIP

It is intended that the Committee consist of a diverse cross-section of the Montana ornithological community, with a Chair and Secretary nominated and elected by the standing Committee. Membership will evolve over time, but will be determined by the Committee itself based on the following guidelines:

A. The Committee shall consist of no fewer than seven or more than 13 voting members at any one time, including an elected Chair and Secretary (see below).

B. Committee members must have the following qualifications:

- (a) General knowledge of ornithology and excellent working knowledge of Montana bird distribution;
- (b) Experience and demonstrated ability in field identification;
- (c) Acquaintance with other birders in the state, such that the Committee is not viewed as aloof from the general birding community;
- (d) Personal integrity and willingness to adhere to the duties outlined in this document; and
- (e) The ability to travel to one annual meeting, which may include an overnight stay.

In addition, the Committee will strive to achieve a balanced statewide geographic representation with respect to the residence of each member, although the location of a prospective Committee member's home shall not dictate whether he or she is admitted to the Committee.

C. The Chair shall serve a term of at least two years, each term coinciding with that of the current Secretary. The Chair will be chosen from the Committee and may serve as many terms as desired provided that he/she is elected by majority vote of the Committee every two years. Should the Chair wish to step down, a new Chair will be chosen from among the Committee by majority vote at the close of the current Chair's final meeting.

The Chair has the following responsibilities:

- (a) Insure that the elements put forth in these Bylaws are adhered to by all Committee members;
- (b) Based on the schedule of the majority of members, select an annual meeting date at least six months prior to that meeting, and determine the location of said meeting;
- (c) Select a meeting site and make sure that all equipment (e.g., slide projector, VCR and television)

is present at that site on the stated date of the meeting;

- (d) Conduct each Committee meeting;
- (e) Preside over removals and additions of Committee members and maintain a roster with current postal address, phone number, and e-mail address of each Committee member.
- (f) Communicate with the Secretary on a regular basis to make sure that all duties of the Secretary are carried out as stated below;
- (g) Act as the liaison from the Committee to Montana Audubon and the Montana Natural Heritage Program; and
- (h) Communicate with other state bird records committees as needed for guidance, outside expertise, and suggestions on procedural matters.

D. The Secretary shall serve a term of at least two years, each term coinciding with that of the current Chair. The Secretary will be chosen from the Committee and may serve as many terms as desired provided that he/she is elected by majority vote of the Committee every two years.

The Secretary has the following responsibilities:

- (a) Work closely with Chair to insure that the elements put forth in these Bylaws are adhered to by all Committee members, and respond, as needed, to specific requests of the Chair;
- (b) Make sure that copies of all rare bird reports and supporting material submitted to Montana Audubon are circulated to the Committee at least one month before each meeting, and arrange for availability of pertinent original material (e.g., specimens, photographs) at the meeting;
- (c) Insure that all original material noted in Part (b) above is returned to the archives at the Montana Natural Heritage office, or to respective museums from which specimens were borrowed, immediately after each meeting at which the material is used, and make sure that all accepted records have been added to the Montana Bird Distribution database within 3 months of the annual meeting;
- (d) Record and distribute minutes to the Committee within one month after each meeting;
- (e) Develop and/or implement a system to insure that reports for all suspected occurrences of rare birds are submitted to Montana Audubon within one month after occurrence is noted;
- (f) Procure additional material on reports when deemed necessary by the Committee and distribute that material among the Committee;
- (g) Arrange for Committee members to contact each observer who submitted a report with the Committee's decision on that report within one month after each meeting, and make sure Committee members have followed through with that responsibility;
- (h) Tabulate results of all votes of the Committee and submit these results to Montana Audubon for inclusion on their Web site and newsletter as outlined in Part III(B) above;
- (i) Work with Chair to maintain a current list of Montana birds, including the number of accepted records for each rare species, as outlined in Part II(B)(b) above; and
- (j) Keep current a master copy of these Bylaws.

E. Committee members evaluate and offer opinions (votes) regarding documentation of rare, unusual, or new species reported in Montana. There is no mandatory time of service as a Committee member, either minimum or maximum, as long as the member is meeting the required duties of the position as outlined in these Bylaws. Each Committee member's responsibilities include, but are not limited to, the following:

- (a) Review all rare bird reports and other submitted material fully and submit opinions on each report to the Secretary at least one week prior to the meeting in question;
- (b) Attend meetings prepared to state opinions on submitted reports, with supporting rationale;
- (c) Solicit rare bird reports from observers for each known occurrence of a rare bird in his/her local area and communicate with the Secretary or Chair regarding these activities;
- (d) Solicit follow-up materials for reports requiring additional documentation, as requested by the Secretary or Chair;
- (e) Provide feedback to observers who submit reports from the member's local area, and elsewhere, as requested by the Secretary or Chair; and
- (f) Submit for the archives copies of all correspondence with observers pertaining to parts (d) and (e) above.

F. If a Committee member appears to be incapable or unwilling to carry out his/her duties, or if other concerns are raised about his/her suitability to continue serving on the Committee, the Chair shall poll the other Committee members regarding what action to take. If there is consensus to do so, the Chair will

alert the member in question of the concerns that were raised and request the member's response to those concerns. Continued membership on the Committee will depend on the response from the member in question and the subsequent wishes of the majority of the Committee. The Chair is responsible for enforcing whatever action is taken.

G. New Committee members can be nominated by current members at any time, but must meet the criteria under section IV(B) above. New members will be added only after a majority vote by current members. This vote can occur at the annual meeting, by e-mail, or by phone and is conducted at the direction of the Chair.

V. MEETINGS

The Committee will ordinarily hold one face-to-face meeting per year to review submitted reports. **The presence of 2/3 of the standing Committee will constitute a quorum.** Other meetings may be held, as necessary, on the direction of the Chair. In calling such meetings, the Chair will give members adequate notice and select a date and location that best meet the wishes of the members.

VI. PROCEDURES

Prior to 2003, the Committee conducted most of its business at an annual meeting. Much of the business of the Committee, however, can and should be conducted through correspondence. The exception to this is the review and discussion of reports.

A. At least one month prior to the selected annual meeting date, the Secretary will make sure that copies of all reports and supporting material to be reviewed are mailed to Committee members by Montana Audubon.

B. The Chair and Committee will make every reasonable effort to resolve each report reviewed within one month following the annual meeting, thereby not carrying over reports from year to year. However, any submitted report of a Montana bird is open to additional review should new information become available regardless of whether the Committee has previously reached a majority opinion.

VII. REPORTS

A. Reports to be reviewed by the Committee should be maintained on standard forms that should be widely available for observers to use in the submission of reports. Reporters are encouraged, but not required, to submit their documentation on such forms. The Committee will not reject for consideration those reports submitted in other formats, but will make an effort to request use of the standard forms whenever possible.

B. The Committee shall maintain a list of species for which full documentation is requested. This list should be revised as necessary within one month following each meeting at which new decisions regarding this list are made. No absolute rules should be established for inclusion on this list, which should be determined by a consensus of the Committee. This list will include at least the following categories:

- (a) Species for which no previous record has been accepted for Montana;
- (b) Species with fewer than 20 accepted records for the state;
- (c) Rare but local and/or out-of-season species. The Committee may request full documentation for certain species for areas of the state away from known populations or at unusual times of year.
- (d) Supplemental. The Supplemental List contains species reported only by a single observer (no photo or specimen), or for which only one independent write-up was received, and therefore not yet on the official state list, or those for which the only records represent birds of uncertain origin that may have escaped from captivity, or those for which a hybrid origin cannot be ruled out.

C. The above list of species is currently available in Montana Bird Distribution (which appears approximately every five years) and will also be made available with the official state bird list posted on the Montana Audubon Web site.

D. The Committee will also advise Montana Audubon and the Montana Natural Heritage Program as to which other species, subspecies, or forms should require documentation before being entered into

respective databases. Examples include species for which the distribution in the state is poorly understood (e.g., screech-owls). Committee review may not be needed for all documentation received under this category, but a summary of the reports submitted under this category should be provided to the Committee for its consideration at each annual meeting.

VIII. RENDERING OF OPINIONS

A. The Committee's function, as stated in the above sections, is to review and render an objective decision on reports of rare birds in the state of Montana. These reports can take many forms. The Committee is essentially a peer review panel of dedicated Montana ornithologists and birders. The opinions they render are an assessment of submitted materials (documentation), not of the observers. When the Committee consists of 10 or fewer members, a report is "accepted" if there is no more than one dissenting or undecided vote ("B" or "C" as defined in Section D below). A report is "not accepted" if two or more voting members feel that the submitted documentation is inadequate to support the stated identification. When the Committee consists of 11 or more members, a report is "accepted" if there are no more than two dissenting or undecided votes. A report is "not accepted" if three or more voting members feel that the submitted documentation is inadequate to support the stated identification. Non-acceptance does not necessarily imply that an incorrect identification was made, nor does acceptance guarantee that a record is valid. The rulings of the committee should be viewed as the best possible unbiased peer review of sighting documentation, using the best information available *at the time a report is reviewed*.

B. When the identification of a specimen requires expert input from outside the Committee, the specimen will be sent to an appropriate expert. The catalog number and repository site will be included with all specimen records reviewed by the Committee. Either the specimen itself or photos thereof should be reviewed at the annual meeting.

C. When practical, photographic, video, and audio documentation will be circulated to Committee members prior to each meeting and will be available at the meeting. Such documentation will be reviewed as per sight reports and should be accompanied by written documentation whenever possible.

D. Sight reports will be circulated to the Committee for consideration. They should be rated independently by each member in a frank and unbiased manner, based on that member's best judgment with open but rigorous mind. Committee members will review all documentation prior to the meeting and *independently* assign each report to one of three categories:

Code (A) Documentation supports the stated identification and the report is acceptable.

Code (B) Documentation does not support the stated identification, and the report is not acceptable. Indications are that an incorrect identification was made, and/or it is clear that additional information is either not available or would not change the opinion.

Code (C) Not enough information is included to support the stated identification. More information is needed and should be provided for further review.

E. The ratings of each member of the Committee will be tallied by the Secretary shortly before the annual meeting, and the Committee will render a majority opinion, again using the above codes. Where more information is required, an appropriate Committee member will be assigned to do follow-up with the observer(s). When a majority opinion cannot be reached, the Committee will vote on whether to seek additional outside review and will reschedule a review of the report in question, typically to be done through e-mail or by telephone.

IX. SUBMISSION AND CIRCULATION OF REPORTS

A. Montana Audubon will act as the clearinghouse for all bird reports submitted. Once annually, or more often if the volume of reports requires it, all reports and other material received will be circulated to the Committee for review.

B. All reports submitted for review will be given a unique permanent file number (####-###) with the first four digits being the year in which the report was submitted, and the three digits after the hyphen being sequential for that year.

C. Members should not discuss the reports being reviewed prior to the annual meeting, because

independent review is more likely to provide objective evaluation of the reports. Members are encouraged to contact the observer for clarification, if needed, and to solicit input from outside experts. Any significant additional information gathered in this way should be immediately shared with other members, prior to the meeting.

D. Committee members shall not render a decision on their own submissions.

X. PUBLICATION

As noted in Part II(B), an annual summary of the Committee's activities will be posted on the Web site of Montana Audubon and published in its newsletter. It is essential that the workings of the Committee be openly communicated with the birding public and interested scientists. If at all possible, the status of rare birds and the official state list should be published in a peer-reviewed journal with broader circulation, at no less than 10-year intervals. The continued publication of Montana Bird Distribution at 5-year intervals, which by its nature is dependent on the decisions rendered by the Committee, will also serve this function.

XI. STATE LIST

A. The Committee shall, by its actions, be responsible for maintaining the official list of Montana birds as noted in Part II(A). The Committee shall be responsible for developing, and revising if necessary, the criteria by which a species is accepted to the state list.

B. In cases where a report reviewed by the Committee represents a potential first state record, the Committee will rule on whether the documentation is sufficient to add the species to the official state list. These conditions are currently as follows:

- (a) A specimen (documentation must include the disposition of the specimen);
- (b) An unequivocal photo, video, or (in exceptional cases) audio recording; or
- (c) Acceptable written documentation from at least two independent observers.

In the case of concurrent observation of a new species for the state by two or more observers, acceptable documentation from "at least two independent observers" shall be interpreted to mean that at least two of the observers must independently write up the sighting based on their personal observations and notes taken at the time of the sighting. Documentation must then indicate that each observer was able to positively identify the bird based on field marks and behavior he or she observed.

If the Committee rules that a bird was correctly identified, but that the identification was based solely on what only one observer saw, the species will be added to the Supplemental List as noted in Part VII(B)(d) pending further documentation.

C. A species may be added to or removed from the state list by unanimous vote of the Committee. This includes species added or deleted from the state list by previous Committees. As soon as feasible following such action, the result and rationale will be publicized in appropriate outlets.

XII. APPLICABILITY AND REVISION

These Bylaws shall apply to the makeup and conduct of the Montana Bird Records Committee commencing on the date below, indefinitely. The need for revision shall be reviewed by the Committee at least every second year at the annual meeting. If at any time the Bylaws need revision, such revisions will be done by the entire voting Committee or by a subcommittee appointed by the Chair. All revisions will be reviewed and accepted by the Committee, with the date below revised as well.