

## **INDIANA BIRD RECORDS COMMITTEE – RULES OF OPERATION (BYLAWS)**

### **SECTION 1 – Definition of the Indiana Bird Records Committee**

#### **1.1 Name**

The Indiana Bird Records Committee (IBRC) is a committee of the Indiana Audubon Society (IAS).

### **SECTION 2 – Purposes of the Indiana Bird Records Committee**

#### **2.1 Purposes**

The primary task of the IBRC is to maintain the official Checklist of Indiana Birds, a regularly updated and accurate listing of avian species known to have occurred in Indiana. In pursuit of this the committee shall:

- A) Solicit bird records and documentation deemed by the Committee to be helpful in understanding the status and distribution of birds in Indiana;
- B) Evaluate documentation contained within bird records;
- C) Prepare and maintain a Review List. The Review List is a list of those species for which the Committee desires reports. The Review List may be incorporated into the official Checklist of Indiana Birds; and
- D) Conduct other activities as deemed necessary by the Committee and the IAS Board of Directors.

#### **2.2 Permanent Files**

- A) The IBRC shall maintain permanent files of records received. The location of the permanent files may be changed by a majority vote of the committee in consultation with the IAS President.
- B) The Chair will also maintain a duplicate set of files.
- C) As of January 1, 2014, new records that are received electronically shall no longer be archived as hard copies. Instead, the Chair shall archive the records electronically in at least two places and passed from chair-to-chair. Documentation submitted as hard copy shall be copied electronically and the copy stored with the other electronic records; the original hard copy shall be deposited with the other paper records.

### **SECTION 3 – Chair of the Indiana Bird Records Committee**

3.1 The Chair of the IBRC must be a member of the Indiana Audubon Society.

3.2 The Chair's term shall be a one-year renewable term ending December 31.



- A) A person elected Chair may be elected to no more than six consecutive terms and must also be a member of the IBRC and, therefore, fit the qualifications thereof. A Chair having served the maximum number of consecutive terms may serve again after the expiration of one year.

### 3.3 Nomination

- A) The Chair shall solicit nominations for Chair among the committee's membership or more widely if (s)he desires.
- B) The Chair shall prepare a ballot. Each eligible person nominated shall be placed on the ballot in alphabetical order. The vote may be conducted by mail, electronically, or at a meeting.
- C) Committee members only shall vote for all nominees, assigning points for their preference in descending order (i.e. if four nominees exist, give four points to the most preferred, three to the next preferred, and so on). If a member is unable to vote, the polling shall be conducted only among remaining members. However, members may submit absentee ballots.
- D) In the event of a tie for the Chair-elect, the Chair shall conduct another vote of the committee members present to determine the preference between the nominees who tied.

### 3.4 Appointment

- A) The name of the IBRC Chair-elect will be submitted to the IAS Board of Directors for approval no later than the fall Board meeting. (Note in 2015 this was changed per voting in the IBRC annual meeting in June 2015 and later received approval of BOD of IAS by changing IAS and IBRC bylaws per this addition. The new deadline is December.)
- B) If the IAS Board of Directors does not approve the nominee for Chair-elect, the IBRC shall conduct a new vote following the guidelines as described in 3.3 of this document. The name of the new Chair-elect shall then be submitted to the IAS Board of Directors for approval.
- C) In cases where a member of the IAS Board of Directors is being considered for IBRC Chair, that member shall abstain from participation in the appointment process.

### 3.5 Duties

- A) The Chair of the IBRC may call and chair an annual meeting, may call and chair special meetings, shall manage committee correspondence, shall maintain committee files, and shall perform other duties necessary to facilitate the operation of the committee. The Chair shall serve as a voting member of the IBRC with all rights and responsibilities thereof for matters of business and nominations of IBRC members.
- B) The Chair shall submit a summary to the IAS Board of Directors, both of the activities of the committee and of the records evaluated by the IBRC, the latter of which shall appear at least annually in an issue of the *Indiana Audubon Quarterly*, an official publication of the IAS. Accepted records published in the *Quarterly* shall include the species name, record number, the name(s) of the observer(s), with indication of the person first finding the bird, where and when the bird was found, and the committee's disposition of the record. Records not accepted shall include the same information without the name(s) of observer(s). Photographs shall be published when appropriate and will include the name of the photographer. The Chair shall



make publicly available a report of all official committee actions within 15 days of their occurrence.

### 3.6 Resignation, Removal, or Replacement

- A) **REMOVAL:** The Chair of the IBRC may be removed for cause by a majority vote of IBRC members in consultation with the IAS President.
- B) **FILLING VACANCIES:** In the event of removal or resignation before the expiration of the Chair's term, a replacement will be chosen by IBRC members in consultation with the IAS President.

<b>SECTION 4 – Members of the Indiana Bird Records Committee.</b>
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### 4.1 Eligibility

Members of the IBRC must be members of the Indiana Audubon Society.

### 4.2 Number and Term of Members

- A) The IBRC shall consist of seven members appointed to staggered three-year terms in three classes that are approximately equal. A member's term will end on December 31<sup>st</sup> of the year of expiration (or appointment). Terms are static with regard to end date such that if an IBRC member is appointed at some time after the beginning of a term, the appointed IBRC member continues through the remaining time of the existing term and a new three-year term does not begin.
- B) A member serving a full three-year term is ineligible to serve on the committee for a period of one year after the expiration of his/her current term. This does not apply to newly-elected Chairs should there be no other candidate on the ballot.

### 4.3 Election and Confirmation of IBRC Members

- A) The Chair shall solicit nominations for membership among the committee's members or more widely if (s)he desires. Any member of IAS may make nominations. The nominator must obtain approval of the nominee for the nomination. The Chair must receive nominations by the week prior to the IBRC annual meeting.
- B) The Chair shall prepare a ballot. The nominees shall be placed on the ballot in alphabetical order. The vote shall be conducted by mail, electronically, or at a meeting.
- C) Committee members shall vote for all nominees, assigning points for their preference in descending order (e.g., if four nominees exist, give four points to the most preferred, three to the next preferred, and so on). If a member is unable to vote, the polling shall be conducted only among remaining members. However, members may submit absentee ballots. All votes must be submitted prior to, or at, the annual meeting.
- D) In the event of a tie for the last position on the committee, the Chair shall conduct another vote to determine the preference between the nominees who tied for the last position. The vote may be electronic or in person.



- E) The Chair shall prepare a list of elected committee members based on the committee members' votes and submit that list to the IAS Board of Directors for approval no later than the fall Board meeting.

#### 4.4 Duties of Members

Members shall:

- A) Attend meetings,
- B) Vote on records circulated by mail or electronically within the time period determined by the Chair. In the event that records are to be physically circulated sequentially through the committee, the record shall be passed on to the next member according to a schedule set by the Chair, and
- C) Apprise the Chair of anticipated meeting absences or unavailability for the review of circulating records.

#### 4.5 Resignation, Removal, and Replacement of Members

- A) **REMOVAL.** An IBRC member who repeatedly fails to respond within established deadlines, or is otherwise delinquent in his/her duties, and has not notified the Chair in advance of any absence, may be removed from the committee by a majority vote of the IBRC.
- B) **FILLING VACANCIES.** In the event of removal or resignation, the IBRC shall elect a replacement from nominee(s) selected by the Chair. The replacement shall be submitted to the IAS Board of Directors for approval. The replacement shall serve for the remainder of the year. If the term of the vacated position extends beyond the end of the year, the position shall be filled for the remainder of the term at the annual meeting (or by mail, electronically, or at a special called meeting of the committee), using standard procedures for filling expired positions.

#### 4.6. Position of Assistant Chair

- A) The Chair may, at his/her discretion, designate a member to serve as Assistant Chair. The committee must then approve the nomination. The Assistant Chair shall help carry out any duties deemed necessary by and entrusted to the Chair, but the Chair may veto any action of the Assistant Chair at any time. The Assistant Chair serves at the pleasure of the Chair and may be removed at any time without cause.

<b>SECTION 5 – Operation of the Indiana Bird Records Committee</b>
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#### 5.1 Meetings

- A) **ANNUAL & SPECIAL MEETINGS:** The committee shall meet either in person or via a conference call at least once a year no later than the end of November. A special meeting may be called at any time either by a request of the majority of members or by the Chair. The



Review List shall be discussed by the committee and amended (if deemed necessary by a majority of the committee).

- B) NOTICE: Written notice, by mail or e-mail, of meetings shall be given to all members at least 21 days in advance.
- C) MEETINGS OPEN: Meetings shall be open to the public. However, the committee may conduct portions of the meeting in executive session, which shall be closed to the public.
- D) QUORUM: Five members shall constitute a quorum.

## 5.2 Records To Be Considered

- A) Records of rare birds found within the state boundaries of Indiana shall be considered by the IBRC. Rare birds are those:
  - 1) Heretofore unknown in Indiana, or
  - 2) Listed on the Review List.
- B) Records deemed necessary by a vote of the majority of the committee.
- C) Records submitted by other organizations or compilers (e.g., the Christmas Bird Count or May Day compiler or a “Field Notes” editor).

## 5.3 Definitions of Decisions

There are three types of decisions that can be made concerning records. They are:

- A) NOT ACCEPTED There are three classes of “not accepted” records. They are:
  - 1) “NOT ACCEPTED, DOCUMENTATION INADEQUATE”: The voting IBRC member believes that:
    - a) the evidence does not adequately support the species identification, or
    - b) the evidence describes two or more species that cannot be separated on the basis of the evidence. In this case the record might be reconsidered as a generic report, e.g. *Plegadis* ibis species or frigatebird species.
  - 2). “NOT ACCEPTED, ORIGIN QUESTIONABLE”: The evidence supports the identification of the species, and rules out all other species, but the bird may have been a captive that escaped or was released.
  - 3). “NOT ACCEPTED, EXOTIC BIRD NOT ESTABLISHED”: The evidence adequately describes the species, and rules out all other species, but the population of the species has not been established. The IBRC shall develop and follow guidelines that define the use of the word “established” as it pertains to species in this category.
- B) ACCEPTED. There are two classes of “accepted” records. They are:



1). "ACCEPTED, PHYSICAL EVIDENCE": The evidence adequately describes the species, rules out all others, and the record is supported by a specimen, photograph, video, sound recording, or diagnostic in-hand measurements.

2). "ACCEPTED, NO PHYSICAL EVIDENCE (MULTIPLE DOCUMENTERS)": The evidence adequately supports the identification of the species, and rules out all other species, but there is no physical verification for the record. More than one person submitted documentation.

3). "ACCEPTED, NO PHYSICAL EVIDENCE (SINGLE DOCUMENTER)": The evidence adequately supports the identification of the species, and rules out all other species, but there is no physical verification for the record. Only one person submitted documentation.

C) ABSTAIN. This category may be used *only in the first round of voting*. A vote to "ABSTAIN" counts toward neither the "ACCEPTED" nor the "NOT ACCEPTED" portions of the final tally. (For example, a vote might be "5 ACCEPT, 1 NOT ACCEPT, 1 ABSTAIN". Since less than 80% of the votes were to accept, the record would be sent to a second round.)

#### 5.4 Voting

A) GENERAL ROLE OF THE CHAIR. All evidence of rare birds submitted to the IBRC shall be referred to the Chair. The Chair shall assign each report a unique record number. Each written description, specimen, photograph, and recording making up the report shall be given a subset letter under the record number.

B) VOTING FORMATS. There are three types of voting formats.

1) First Round Voting – Ballots shall be sent through the U.S. Mail or electronically for the first round of voting.

2) Second Round Voting – Second-round voting shall occur in the same manner as first-round voting except that members' comments from the first round shall be circulated beforehand.

3) Third Round Voting – Third-round voting shall occur at meetings (i.e., either in person or via conference call).

C) BALLOTS. The ballots used will contain the name of the bird, record number, voter's name, and current date as supplied by the Chair. There will be a section for recommending to accept or not accept. The ballot will also contain a section for the committee member to state the reason for the decision, and for the committee member to sign and date the ballot.

D) SPLITTING AND COMBINING RECORDS. When the committee believes that:

1) The evidence indicates that a separate record should be placed under a different record number, the record will be split, or

2) The evidence indicates that a record should be combined with another record or records under the same record number, the records will be combined.



E) **RECORD RECONSIDERATION.** WITH THE CHAIR’S APPROVAL, Any record may be reconsidered at the request of the Chair or any member of the committee with new evidence submitted in writing and distributed prior to a meeting, either by mail or e-mail. While evidence supporting the reconsideration may be distributed by e-mail, the actual vote to accept or not accept the report shall take place during a meeting of the committee. Absentee ballots are acceptable for these votes.

F) **MEETING LIMITATIONS.** There are three types of records that shall be voted on during a meeting:

- 1) Third-round records,
- 2) Records supported entirely or in part by evidence that cannot be easily distributed to members, or
- 3) Records under reconsideration.

G) **FIRST-ROUND VOTING**

1) **ROLE OF THE CHAIR.** The Chair may separate records into four categories according to the provisions in this section. The Chair may arrange packets of records for circulation in the most economical manner. The four categories are as follows:

- a) Records supported by written evidence. The Chair shall provide multiple copies of these records for simultaneous review by several members, or forward them to committee members electronically. The Chair shall exercise discretion in circulating mailed records.
- b) Records supported by written evidence and by photographs and/or other evidence that can be sent electronically. If the written documentation and photographs can be scanned, the records shall be forwarded to IBRC members by mail or electronically.
- c) Records supported by written evidence and by photographs and/or other evidence that require physical mailing. The Chair shall send the entirety of the record(s) to the first member of the committee. After reviewing the evidence and drawing conclusions about each record, the first member shall send his/her completed ballots to the Chair, and shall forward the record(s) to the second member of the committee. This process continues until the last member of the committee sends the record(s) back to the Chair.
- d) Records supported in part or entirely by evidence that cannot be easily distributed. These records shall be voted on only during a meeting. The Chair shall note the nature of the evidence in the meeting agenda.

2) **ACCEPTANCE OR NON-ACCEPTANCE ON THE FIRST ROUND.** If a record receives “accepted” votes from at least 80 percent of members voting, it is accepted. If a record receives “ACCEPTED” votes from at least 20 percent of the voters, but less than 80 percent, it will be deferred to a second round. If a record receives 80% or more “NOT ACCEPTED” votes, it is not accepted. “ABSTAIN” votes count toward neither total. A minimum of five members must vote on first round records.

3) **INDEPENDENT VOTING ON THE FIRST ROUND.** To obtain the most accurate information on which to base a first-round vote, it may be helpful for one committee member



to consult with another for details on the species involved. The first-round voting of each member, however, shall remain independent. Circulation and discussion of the circumstances of the observation, the possible origin of the bird under consideration, and ID points, *in general*, for the species in question, are allowed, so long as members do not discuss their voting intent.

4) REASONS MUST BE STATED. Committee members must state their reasons in accepting or not accepting a record. These reasons will be reviewed by other committee members if there is a subsequent round of voting, and these comments become part of the permanent record in the IBRC file.

5) VOTING BY MEMBERS. Members must vote on every record, even if the vote is to “ABSTAIN” (which is only allowed in the first round). Members’ votes count toward the final tally unless (s)he was personally an observer of the bird(s) involved in the record. In cases where at least three members personally observed and voted on a record, all members’ votes shall then be counted toward that record’s final tally.

6) REQUIREMENTS. First round records require a least four countable votes of accept or not accept votes from members for a result to be accepted. If no plurality is achieved the record goes to second round.

#### H) SECOND-ROUND VOTING

1) BEFORE THE VOTE. When a record receives at least 20 percent but less than 80 percent “accepted” votes on the first round, the Chair shall initiate a second round, which will be conducted in the same manner as stated above for the first round, with the exceptions listed immediately hereafter. The complete record, along with copies of the members’ first round comments, additional information, if any, shall be forwarded to IBRC members so that they may be circulated prior to the second round vote. Votes to “ABSTAIN” are not allowed.

2) ACCEPTANCE OR NON-ACCEPTANCE ON THE SECOND ROUND. When voting on the second round, a record is accepted if it receives “accepted” votes from at least 70 percent of those voting; otherwise it is not accepted. A minimum of five members must vote on second round records.

#### I) THIRD-ROUND VOTING AND RECORDS UNDER RECONSIDERATION

1) BEFORE THE VOTE. When a record receives at least 30 percent but less than 70 percent “accepted” votes on the second round, the Chair shall initiate a third round, which will be conducted at a meeting. The complete record, along with copies of the members’ first and second round comments, additional information, if any, and in the case of records being reconsidered, the request for reconsideration, shall be forwarded to IBRC members so that they may be read prior to the third round vote.

2) WRITTEN REASONS NEED NOT BE STATED. When voting at a meeting, written ballots need not be prepared. The Chair shall record the results of the voting on each record.

3) ACCEPTANCE OR NON-ACCEPTANCE ON THE THIRD ROUND. When voting on the third round, a record is accepted if it receives “accepted” votes from at least 70 percent of those voting; otherwise it is not accepted. A minimum of five members must vote on third round records. Votes to “ABSTAIN” are not allowed.



## 5.5 Notice to Persons Submitting Reports

Persons submitting observations shall be notified by the Chair in a timely manner of the Chair's receipt of the record(s) as well as the outcome of the committee's vote on the record(s). Any notifications to the observer or what is printed in the *IAS Quarterly* may include anonymous copies of committee members' comments.

## SECTION 6 – Use of the Indiana Bird Records Committee Materials

### 6.1 Duplication of File Material

All materials submitted become the property of the Indiana Audubon Society, Inc. Duplication of slides, photographs, film, and audio and video recordings is not permitted without permission of the photographer or recordist except that IAS may reproduce items for its own use or publications.

### 6.2 Loan of File Material

Loans of slides, photographs, film, and audio and video recordings from the permanent files are not permitted. Only the duplicated (including all electronic) material retained by the Chair shall be available for loan.

### 6.3 Availability and Embargo of Written Materials

Written materials shall be made available to interested persons via the Chair. Internal committee communications and unpublished decisions shall not be distributed or discussed by any member with anyone who is not also a member, excepting the Chair when (s)he needs to distribute comments to outside experts and/or other committees, excepting any member when communicating with the IAS President, and excepting during an open public IBRC meeting. Members may discuss their own actions (e.g., "I voted to accept X.")—but not other members' actions—with non-committee members.

## SECTION 7 – Indiana Bird Records Committee Financial Support

### 7.1 Financial Support

The committee may submit a budget for approval by the IAS Board of Directors. The Board of Directors must approve any expenditure in excess of the budgeted amount.

## SECTION 8 – Amendment Process

### 8.1 The Committee may amend these bylaws by the following processes.

- A) VIA THE CHAIR. Any member may propose a change to the Chair. The Chair then may, as his/her discretion, ask the members to vote on the change, a quorum and 70% of those



voting being necessary to adopt the changes. Voting may take place during a meeting or via electronic ballot.

- B) **VIA DISCHARGE PETITION.** Any member may circulate a discharge petition to force the Chair to allow a vote on a change in the bylaws. The petition must contain signatures of at least 60% of members (not including the Chair) to take effect. After 60% of members have signed, the Chair shall circulate the proposed change, a quorum and 70%those voting being necessary to adopt the changes. Voting may take place during a meeting or via electronic ballot.

Amended:

January 25, 2003  
February 4, 2006  
March 2, 2008  
August 25, 2012  
June 21, 2014  
December 27, 2014  
October 9, 2016  
October 15, 2017  
November 15, 2019