

BYLAWS OF THE COLORADO BIRD RECORDS COMMITTEE OF THE COLORADO FIELD ORNITHOLOGISTS

I. NAME/AFFILIATION

The name of this committee shall be the Colorado Bird Records Committee, hereafter referred to as the CBRC. It is a committee of the Colorado Field Ornithologists (CFO).

II. PHILOSOPHY AND PURPOSE

- A. The purpose of the CBRC is to provide a repository for information regarding the records of rare or unusual birds within the state of Colorado, as well as to maintain a list of all birds recorded for each county and early/late dates for species. In order to perform this function, the CBRC shall solicit, collect, assemble, review, render opinions on, and permanently archive, in a public facility, all documentation concerning records of rare and unusual birds.
- B. In order to perform its functions well, the CBRC must have good communication with the birding and ornithology communities and make its mechanisms, publications, and opinions widely known.
- C. The CBRC shall provide a means by which sight records can be used as scientific data.
- D. The CBRC is not, nor does it intend to be, the final word in the rendering of any opinion concerning the correctness of any person's individual list of observations, nor should its opinions be used as a basis for validating any such list.

III. DUTIES

- A. The CBRC has the following duties:
 - 1. To solicit, collect, and organize records of rare and unusual birds in Colorado. A rare bird "record" is defined as the written report(s), along with all pertinent information, such as a specimen, documentary photographs, video, audio recordings, written "expert" opinion(s), and CBRC member votes and comments in regard to the written report(s);
 - 2. To review, evaluate, and assess all records and to rule on the acceptability of the submitted documentation in supporting the record. There are two principal written accounts resulting from this activity:
 - a. A minimum of an annual report, published in *Colorado Birds*, describing the activities and opinions of the CBRC (Bylaws of CBRC, Section IX(A)).
 - b. An "official" state list of Colorado birds based on current knowledge and historical evidence archived in the CBRC files (Bylaws of CBRC, Sections VII(D) and X). This list shall appear periodically as the *Field Check-list of Colorado Birds*.
 - c. To establish a permanent file of all records at the Denver Museum of Nature and Science. This archive shall be maintained in good order by the CBRC and members of the museum staff, and shall be open, available, and accessible for review by anyone at any time in the future, taking into account the museum's hours of operation and the need for the museum to require notification and permission to enter areas of the museum normally off-limit to the general public. The establishment and maintenance of the CBRC bird records archive is the most important function of the CBRC. The opinions rendered by the CBRC shall be made in good faith and with the best available knowledge at the time. However, the actual archived records shall stand on their own merit and be available to anyone (including future CBRCs) for review.

IV. RESPONSIBILITY

- A. The CBRC shall be responsible to the Officers and Directors of the CFO, through the President, for the proper performance of its duties.

V. MEMBERSHIP

- A. The CBRC shall consist of at least seven members: a Chairperson (hereafter, "Chair") and at least

six regular members. The Chair will assign seven members to evaluate and offer opinions (i.e., “vote”) on records submitted for review to the CBRC. No opinion on an individual bird record may be rendered by the CBRC without the votes of all assigned voting members. All CBRC members are appointed by the President of the CFO as described in Section V(D).

- B. The Chair, with approval of the regular CBRC members, may designate a “Secretary” to assist the Chair with various Committee tasks, particularly as they relate to organization and the circulation process. This position may be filled by a current voting member of the CBRC or any CFO member in good standing. Should the position be filled by someone other than a voting CBRC member, that person would not have voting authority.
- C. Anyone is eligible to become a CBRC member if, in the opinions of the current members of the CBRC and President of the CFO, that person:
 - 1. Demonstrates an expert ability in, and knowledge of, field identification of birds,
 - 2. Is a member in good standing of the CFO, and
 - 3. Is a supporter of the CBRC (defined as one who regularly submits records to the CBRC) or other state or provincial records committees.
- D. The schedule of appointment of members shall occur as follows:
 - 1. The President of the CFO shall appoint the members to terms of three years each. Appointment will try to be on a staggered basis, with two or three regular members’ terms expiring at the end of each year to maintain continuity. Regular terms shall begin on January 1 and end on December 31.
 - 2. The Chair shall be elected by the CFO Board for a term of three years. The Chair may serve an unlimited number of terms.
 - 3. All CBRC members, other than the Chair, are eligible to serve a second, consecutive three-year term if asked to by the CBRC and President of the CFO.
 - 4. After completing two consecutive three-year terms, there is a mandatory one-year retirement from the CBRC, except for the Chair.
 - 5. No CBRC member, excluding the Chair, may serve more than six consecutive years in any voting capacity on the CBRC, unless that member was appointed to the CBRC because of a previous member resigning in mid-term.
- E. The appointment of CBRC regular members is by the President of the CFO, after considering Section V(C) of the CBRC Bylaws.
 - 1. The CBRC Chair must be a current or previous member of the CBRC.
 - a. Prior to the resignation of the current Chair, the current Chair shall submit a recommendation for the next Chair to the CFO Board. The current Chair shall confer with current CBRC members in making the recommendation.
 - b. The CFO Board shall consider the recommendation of the current CBRC Chair when electing the new Chair. If the Board desires, they may request additional recommendations for appointment. The Board must make their appointment prior to the resignation of the current Chair. The new CBRC Chair shall begin serving his/her term of office as specified by the CFO Board.
 - 2. The CBRC regular members shall be selected and appointed by the President of the CFO.
 - a. Prior to any term expirations, the current Chair shall submit recommendations to the CFO President to fill pending vacancies on the CBRC. The current Chair shall confer with current CBRC members in making these recommendations.
 - b. The President of the CFO shall consider the recommendations of the current CBRC Chair when appointing new members. If the President desires, he/she may request additional recommendations for appointment. The President must make his/her appointments known by the end of the year of expiration of the current member’s term of office. New CBRC members shall begin serving their three-year terms of office on January 1 of the following year.
 - 3. In the case that any CBRC member resigns or becomes unable to serve his/her full term of office, the CFO President shall solicit recommendations for a replacement appointment from the Chair and proceed as in Section V(E) 1 & 2. Replacement members shall fill the remainder of the resigning member’s term and be eligible for re-serving on the CBRC as

- described in Section V(D).
4. In the case that any CBRC member, except the Chair, appears to be incapable, unwilling, or uncooperative in carrying out his/her part of the CBRC work, the CFO President shall poll all other CBRC members as to what action to take. In the case where the CBRC majority decision is to remove a member of the CBRC, the CFO President shall request the resignation of the member. Such request constitutes removal of the member from the CBRC. The vacant member's position shall be filled as described in Section V(E) 1& 2. Replacement members shall fill the remainder of the resigning member's term and be eligible for re-serving on the CBRC as described in Section V(D).
 5. In the case that the CBRC Chair is incapable, unwilling, or uncooperative in carrying out his/her CBRC duties, the CFO Board may vote to replace the Chair with a new Chair from the current CBRC membership or from a list of past CBRC members.
- F. Upon resignation as Chair of the CBRC, the out-going Chair shall assume the non-voting position of "Former Chair" for a term of one year. The purpose of the Former Chair is to assist the incoming Chair with assuming his/her duties. The Former Chair shall aid the new Chair in the functions of the office, including providing a thorough knowledge of the CBRC Bylaws.
- G. When necessary or appropriate, outside "expert" opinion may be solicited on particular problem records. Such experts may include scientists, ornithologists, field identification experts, and/or previous or current CBRC members. Although these experts might not be members of the CBRC, their written opinions shall be considered by the CBRC members when rendering opinions on bird records.

VI. GENERAL PROCEDURES

- A. The Chair shall receive, number, assemble, and make records available for review. The Chair shall collate votes, write (or cause to have written) the annual or more frequent CBRC reports, and submit the report to the Editor of Colorado Birds for publication as soon as feasible.
- B. Special meetings may be called with the agreement of four members of the CBRC, with four members constituting a quorum.

VII. RECORDS PROCEDURES

- A. The Chair maintains a duplicate set of CBRC files in his/her possession for reference and use. This duplicate set is the property of CFO and shall pass to succeeding Chairs.
- B. The primary component of any bird record is a written report. Reports may consist of a standard form, narrative account, copies of field notes, or a combination of the three. Use of the web-based on-line CFO report form is encouraged. Any additional documentation, such as photographs or drawings, shall be attached to the written description, and collated by the Chair to form the bird "record" (Section III(A)1).
- C. It is the duty of the Chair to circulate records to the CBRC members. It is the duty of the CBRC Members to thoughtfully render opinions in a timely manner and provide votes on records as they are completed.
- D. The CBRC maintains the "official" Colorado state list (Section III(A)2(b)). As part of the list, the CBRC shall note those species for which the committee desires documentation. The following categories shall be published in conjunction with the CBRC's "official" Colorado state list and the CBRC shall solicit records in these categories, which are:
 1. Species new to the "official" Colorado state list,
 2. Those species rare enough to merit interest by the committee
 - a. Those species occurring fewer than ten times in Colorado (annotated as "rare" (= "R")),
 - b. Those averaging four or fewer sightings per year during the previous ten years, but with at least ten accepted records (annotated as "unusual" (= "U")); some species not meeting this criteria may be removed from the list of review species if, in the opinion of a majority vote of the CBRC members, those species do not require further documentation as the status and distribution those species has been established, and

3. Additionally, those species that, at the discretion of the CBRC, are deemed to meet either of the above two criteria in particular areas of the state or particular seasons should also be considered to be review species in those areas and/or seasons. This last criterion should be well defined by political, geographic, or temporal boundaries. The resultant list of species should be published by the CBRC in Colorado Birds as often as deemed necessary by the CBRC.
- E. A record that has received a final CBRC decision, whether accepted or rejected, and even though published as such, may be re-submitted by anyone if there becomes available new and substantial evidence that might reverse that decision, e.g., newly determined identification criteria, or if the decision can be shown to be in error. Records that involve taxa that have since undergone taxonomic revision by the American Ornithologists' Union may be re-submitted to determine the status of any changed taxa. Any re-submitted record shall be re-circulated as a "new" record, with previous votes, CBRC comments, publication status, and all new evidence marked as such.

VIII. CIRCULATION AND VOTING PROCEDURE

- A. Upon receipt of a record, the Chair shall do the following:
1. Give the record a unique number as follows:
 - a. A first number corresponding to all four digits of the year in which the record is received (which is not necessarily the year that the observation was made), followed by a dash (e.g., "1997")
 - b. A second number that is a sequential number, based on order of receipt, starting with the number "1" on January 1 of each year (e.g., "77").
 2. If appropriate, the Chair shall ask the reporter for additional details which, if received, shall be attached to the original documentation in such a way as to keep these details separate.
 3. Assemble multiple reports as follows:
 - a. Multiple reports that, in the opinion of the Chair pertain to the same individual occurrence, shall be collected, accessioned with a single CBRC number, and assembled jointly, as they are separate pieces of documentation for the same submitted "record."
 - b. In cases of multiple reports for a single record, the CBRC member shall vote "acceptable" for the record if the sum of individual written reports supports the stated identification.
 4. Judge the record's validity and vote on it (this prior to seeing other members' votes or comments (Section VIII(C)5)).
 5. Assemble the complete record, including all pertinent documentation as described in Sections III(A) and VII(B), and circulate to all CBRC members.
- B. Upon notification of records to review, the CBRC member shall judge the validity of the records and vote on them (this is prior to seeing other members' votes or comments (Section VIII(C)5)).
- C. Voting and acceptance criteria are as follows:
1. The vote of each CBRC member, together with his/her comments, shall be submitted to the CBRC on-line records review site.
 2. Voting categories are as follows:
 - a. Accept
 - b. Not Accept, identification questionable
 - c. Not Accept, natural occurrence questionable
 - d. Not Accept, establishment of introduced population questionable
 3. CBRC members shall not abstain from voting on any record, including their own.
 4. On the first circulation, a "reject" vote shall be supported by comments by the CBRC member. On a re-circulation, either an "accept" or a "reject" vote shall be supported by comments by the CBRC member. All CBRC member votes and comments shall be considered as part of the "record" and shall be permanently archived in conjunction with the bird record.
 5. In order to assure a balanced treatment of all records, CBRC members shall make

evaluations independently during the first circulation. There shall be no discussion between or among CBRC members concerning the validity of any record before the Chair collates the validation forms. While considering a record, CBRC members are free to confer with anyone other than another CBRC member. If the discussion yields any significant information regarding the record, it should be passed on via that CBRC member's comments.

6. The criteria used by a member for acceptance or rejection of a record shall be based on that member's knowledge and experience. However, members should accept or not accept records on that basis of as objective criteria as possible, such as the adequacy of the field marks reported or the conditions under which the observation was made. The veracity of the observer should not normally be questioned except with good cause.
7. The votes of the CBRC members shall be tabulated by the Chair after all members have voted.
8. The decision on a record is determined as follows:
 - a. "Decisive" votes:
 - i. A record is considered to be decisively accepted if it receives six or more "accept" votes, (i.e., 7-0 or 6-1 (to accept)).
 - ii. A record is considered to be decisively not accepted if it receives four or more "reject" votes, (i.e., 3-4, 2-5, 1-6, or 0-7 (to accept)).
 - b. "Non-decisive" votes:
 - i. A record is considered to be non-decisive if it receives more than three, but fewer than six "accept" votes, i.e., 5-2 or 4-3 (to accept).
9. Non-decisive votes are dealt with as follows:
 - a. If a non-decisive vote is obtained during the initial circulation, the Chair shall re-circulate the record with comments and votes of all members. Regardless of whether a decisive vote was obtained during the first circulation, the Chair may re-circulate a record if he/she feels that any of the members' comments might alter the decision.
 - b. CBRC members shall re-consider the record, including other CBRC members' votes and comments. Then each member shall re-vote and comment on each record and return a validation form on the record to the Chair.
 - c. The Chair shall tabulate the votes.
 - f. A record shall be accepted if it receives no more than one "Not Accept" vote. Any record that receives two or more "Not Accept" votes is not accepted. Proxies shall not be allowed as votes.
10. A first state record is established by the acceptance of a record with at least two observers submitting reports, one observer photograph or audio record where the photographic or audio -recorded evidence support the identification, or a specimen record. A single-observer "accepted" sight record cannot at that time be accepted as a new state record. However, if such a record is considered "accepted" other than the fact that it is a first state record by a single observer, it shall be given a status of "provisionally accepted." It shall retroactively be considered the first state record upon the acceptance of a subsequent record of that species meeting the above requirements for a first state record.

IX. REPORT PUBLICATION

- A. The decisions of the CBRC shall be published at least annually, under the authorship of the Chair (and others if desired), in the form of a report in Colorado Birds.
 1. The species shall be arranged in current taxonomic order (as per the American Ornithologists' Union). The report shall include the common and scientific names of each species listed. For each record submitted and voted upon decisively by the CBRC since the previous report, the published report will include the CBRC accession number, date(s) of observation as reported in submitted documentation, locality, reporting observers, and the opinion of the CBRC (e.g., "accepted" or "rejected"), along with any pertinent discussion on the conclusion that was reached. The names of CBRC members

that voted on any or all covered records shall be included in the report. Other data may be added at the discretion of the author(s) and the voting members (e.g., the name or initials of the discoverer of the bird, even though that person may not have submitted a report).

2. In publications, the term “not accepted” shall be used in place of “rejected” when referring to the decision of the CBRC. The name(s) or initials of the observer(s) shall not be published for “not accepted” records.
3. Pending records shall not be published until such time as they receive decisive votes.

X. “OFFICIAL” COLORADO STATE LIST

- A. The CBRC shall maintain the CFO “official” Colorado state bird list. All species accepted to the list must be supported by an extant specimen, an acceptable photographed, video-recorded, or audio-recorded record that is on file in the CBRC archives, or an acceptable sight record involving at least two observers (independently or concurrently), with reports from each. The list shall be published as the “Field Check-list of Colorado Birds.”
- B. The “official” Colorado state bird species list shall include:
 1. The breeding status
 2. A notation indicating the relative rarity of each species and those species for which the CBRC desires documentation
 3. A notation indicating those species that require special care in identification

XI. CBRC BYLAW REVIEW

- A. CBRC bylaws shall be reviewed periodically by the CBRC, but at least every five years.
- B. Suggested amendments may be made to the President of the CFO or by any member in good standing. Such suggestions shall be presented to the Chair and then to the CFO Board of Directors for their consideration and action.