

NEW YORK STATE ORNITHOLOGICAL ASSOCIATION

NEW YORK STATE AVIAN RECORDS COMMITTEE

Authorization, procedures and guidelines Approved by the Board of Directors, 5 June 2024

The New York State Ornithological Association (hereinafter NYSOA), then known as the Federation of New York State Bird Clubs, recognizing the proliferation of sight reports of birds in New York State, the increasing dependence on such records due to legal and ethical restrictions on collecting, and the need for documentation and evaluation of such reports, in 1977 established a committee to perform this evaluation, to be known as the New York State Avian Records Committee (hereinafter NYSARC).

Several commonly-used terms in these guidelines are defined as follows:

- **“submission”** – any materials sent to the NYSARC secretary that document the presence of a species on the Review List and are subsequently assigned a NYSARC #. Most often these are referred to as a “formal submission.”
- **“eBird report”** – an eBird checklist or a group of eBird checklists assigned a NYSARC # that document the occurrence of a species on the Review List.
- **“occurrence”** – the presence of a review species (a single individual or occasionally more than a single individual) whose location and length of stay are documented in formal submissions and eBird checklists.
- **“record”** – an occurrence that has been reviewed by NYSARC and Accepted.
- **“event”** – an unusually high occurrence of a review species or multiple review species whose arrival is often associated with a weather event (e.g., a hurricane or tropical system)

The following articles and/or sections of the NYSOA Bylaws govern NYSARC.

ARTICLE XI: NEW YORK STATE AVIAN RECORDS COMMITTEE

Section 1. Composition and Appointment. The New York State Avian Records Committee shall consist of eight members, including a Secretary and a Chair. Within the Committee, there are seven voting members and one non-voting member (the Secretary). The Committee’s voting members, including the Chair, shall be appointed by the President, with advice from the Committee, and approved by the Board. Appointments to the Committee shall be for terms of three years ending on December 31 in the last year of the term.

Section 2. Resignation of Members. A member wishing to resign shall provide the President written notice thereof. Such resignation shall take effect upon receipt unless otherwise specified by the member.

Section 3. Removal of Members. A request for removal of any member of the Committee before the member’s term is completed shall be delivered in writing to and evaluated by the Board for consideration. Should the Board decide to consider removal, the member shall be served written notice of the charges and be given the opportunity to be heard at a meeting of the Board. Following such hearing, removal may be effected by a majority vote of the Board.

Section 4. Vacancies. Should any member be unable to complete a term for any reason, the President, with the approval of the Board, shall, within three months of the effective date of the vacancy, appoint someone to complete the remainder of that term.

Section 5. Responsibilities of the Committee. It shall be the duty of the Committee to establish standards for documentation and evaluation of reports of birds in New York State and to evaluate such reports as may be submitted to the Committee. The Committee shall operate under guidelines established by the Board in consultation with the Committee.

ARTICLE V: BOARD OF DIRECTORS

Section 6. Committee Chairs. All committee chairs who are not on the Board of Directors shall be given notice of, and shall be expected, as part of their duties, to attend all Board Meetings in an advisory capacity to report to and advise the Board concerning the activities and plans of their committees, and to recommend to the Board any actions related to the committees' responsibilities that should be considered.

ARTICLE VI: OFFICERS

Section 4. Responsibilities of officers.

A. President. The President shall appoint all committees, except as elsewhere provided in these By-laws, and shall be an ex-officio member of all such committees.

NYSARC GUIDELINES

II. Duties and responsibilities

- A. See Article XI, Section 5 of NYSOA Bylaws, above. *Note: Reports to be evaluated are submitted by the observer to either NYSARC or eBird.*
- B. Manage a list of species of which submissions are desired. This list is referenced hereinafter as the Review List. The Review List can be found on the NYSOA website under the NYSARC tab.
- C. Prepare reports of its proceedings and publish the results of its work at least annually in *The Kingbird*, including rejected submissions, without identifying the observers of those reports not accepted.
- D. Maintain the official list of species of birds known to occur or to have occurred (in the case of extinct or extirpated species) in New York State. The list, titled *Checklist of the Birds of New York State*, will be made available to the public through the Publications Committee of NYSOA.

III. Composition

- A. See Article XI, Section 1 of NYSOA Bylaws, above. Appointments shall consider geographical representation, though not rigidly so.
- B. A member of NYSARC must be an individual member of NYSOA.
- C. The Chair will appoint a non-voting Secretary. There are no term limits associated with this position.
- D. See Article XI, Sections 2, 3, 4 of NYSOA Bylaws, above, regarding resignations, removals and vacancies.

IV. Chair

The Chair will perform the functions usually associated with such office, and will report to the NYSOA Board of Directors at its regular meetings, documenting the activities of NYSARC.

V. Members

- A. Each member will separately study the submissions and eBird reports received or identified by NYSARC and submit an opinion as to their acceptability.
- B. Members will clearly indicate their reasons for acceptance or rejection of each review. Opinions should be frank, unbiased and professional, based on the member's best judgment. Such opinions will be confidential and will not be made public at any time.
- C. Members' opinions will not be discussed with other members until the submission or eBird report has been reviewed by all members. Members may, however, consult other persons who may have special knowledge of the species or individual bird in question.
- D. Members, at their option, may or may not render opinions on their own submitted reports.
- E. Members will assist the Chair in preparation of the annual NYSARC report.

VI. Procedures

- A. Receipt of submissions will be acknowledged by the Secretary in writing to the observer within seven working days.
- B. These should be submitted on standard forms, either paper or electronic, made available to the public. While submission in standard form is encouraged, it is not required. Details should be submitted on one or more 8.5 x 11 inch pages, with no more than one report per page. Electronic file transmission is encouraged. If available, photographs (prints, slides or electronic files) should be included with the submission. Photographs should be accompanied by as much technical data as possible (species, date, location, photographer, etc.). If submissions are substantiated by sound recording(s) and/or specimen(s), they should indicate where such evidence is deposited. Photographs and/or sound recordings are meant to supplement, not replace, a written submission. The NYSARC Secretary shall make hard copies of all submissions for archival purposes. Access to these records may be granted only by the President of NYSOA or the Chair of NYSARC only after receiving a written request stating reasons for such access.
- C. Evaluation of Submissions
 1. All submissions shall be circulated at least annually, or if deemed appropriate by the Chair or Secretary, in batches during the year.
 2. Submissions substantiated by specimens, photographs or recordings should be verified by at least one NYSARC member or designate. Primary concern for such will be adequacy of identification and documentation as a specimen, photograph, video or recording taken in New York State.
 3. No species will be added to the *Checklist of the Birds of New York State* as the result of a single observer sighting without an unequivocal photograph, video, sound recording or specimen. Submissions or eBird reports prepared jointly by two or more observers will be considered a single submission.
 4. No species will be added to the *Checklist of the Birds of New York State* without the unanimous approval of NYSARC members.
 5. A submission, except those described in 3. and 4. (above), becomes a record if all members, or all but one member, accept it. If five or more members, for whatever reasons, do not accept the submission, it is rejected. If the submission receives two, three or four votes to reject, the submission will be recirculated within four months to all members, along with all comments made on its first review. A second vote will be taken, and it will be accepted

if all members or all but one accept it. If a majority of members do not accept the submission, it is rejected. If the submission receives only two or three votes to reject, it will be recirculated for a third time, along with all comments made on the second review. If the submission again fails to be accepted by all members or all but one, it is rejected. See Appendix for summary of votes and consequences in table form.

6. Decisions of individual members will be confidential within NYSARC. The Chair will report decisions of NYSARC as a whole.
7. Records of NYSARC's proceedings will be maintained in a standard form to be established by its membership.

D. Reopening previously reviewed submissions

1. The committee may reopen cases involving previously reviewed submissions.
2. At least three members must agree to reopen a submission before the committee proceeds with a formal review. The request can be made orally at a committee meeting or in writing at any time.
3. Submissions should only be reopened if there is new evidence that was unavailable or was unknown to the committee when the submission was previously reviewed.
4. One of the requesting members shall provide a written synopsis of the main issues concerning the submission. This can simply be from the comments on the review sheets from the original review or it can contain additional information. It should clearly summarize the reason for the dissent and serve to focus the committee's attention on the appropriate issue.
5. Unlike submissions that are reviewed for the first time, the committee is encourage to discuss submission that have been reopened, prior to voting in the first round.
6. Reopening a previously accepted record
 - a. Six or seven votes to reject in the first round of review are required to overturn a previously accepted decision. If there are only one or two votes to reject, the record shall remain accepted.
 - b. Three, four or five votes to reject will trigger a second and final round of review. In the second round, four or more votes to reject will overturn the previous accept decision.
7. Reopening a previously rejected submission
 - a. Seven votes to accept in the first round of review are required to overturn a previously nonaccepted decision. If there are only one, two or three votes to accept, the submission shall remain rejected.
 - b. Four, five or six votes to accept will trigger a second and final round of review. In the second round, six or seven votes to accept will overturn the previous non-accept decision. Note that for species not on the Checklist of the Birds of New York State, seven votes to accept are required.

E. Evaluation of Review List Species found in eBird Checklists

1. eBird checklists with reports of a review list species are pulled from the eBird database annually.
2. eBird checklists are sorted into three categories:
 - a. those that correspond with a formal submission (assigned the NYSARC # of the formal submission)
 - b. those that are eBird Auto-Accept records (assigned a new NYSARC #)
 - c. those that proceed into a Screening (First) Round Review. (assigned a new NYSARC #)

3. A list of species assigned as “Auto-Accept” species is maintained separately. These are species that are recognizable and easily identifiable in certain plumages or ages. This list is not available publicly. In order for a report to bypass the screening round and become an Auto-Accepted record, there must be an unambiguous photo or audio file in at least one the checklists associated with the occurrence. This determination can be made by any Committee member including the NYSARC Secretary.
4. In the Screening (First) Round, only three Committee members will review each eBird report. If any individual votes not to accept, the report will proceed to the full Committee review round, otherwise the eBird report is Accepted without further Committee action.
5. In the full Committee review round, the voting will proceed as is outlined in the Appendix, with the full Committee review round representing the second round.
6. It should be noted that eBird reports are reviewed and accepted by a an eBird reviewer prior to NYSARC reviewing the report, which is the justification for the reduced scrutiny in the Screening Round.

F. Removing a species from the Review List

1. To have a more standardized mechanism to identify species that might warrant removal from the Review List, the Committee established a set of criteria.
2. A species meeting the criteria is not automatically removed. Rather, the species will be brought up for discussion, and the Committee will debate the pros and cons of removing the species prior to a vote. The criteria are outlined as follows:
 - a. Over the past 20 years the species has more than 30 accepted records statewide or more than 20 accepted records in one of the four regions (Upstate, Downstate, Adirondacks, or Pelagic)
OR
 - b. Over the past 10 years, the species has more than 20 accepted records statewide, or more than 15 accepted records in one of the four regions.
 - c. Pelagic outings following standard eBird protocol typically begin new checklists every hour resulting in multiple checklists per day. For the purposes of removing species from the Review List, these checklists will be considered jointly.
 - d. A large influx of individuals occurring as a result of an event may be considered jointly as a single record for these purposes.
3. The committee endeavors to have a general consensus prior to an action taking place in regards to the Review List. However, for all intents and purposes of a vote, this process will follow the votes and consequences outlined in the Appendix.

VII. Committee Rules

- A. These guidelines may be amended by the NYSOA Board of Directors at its discretion, with immediate notification to the Chair of NYSARC. See Article XI, Section 5 of NYSOA Bylaws.
- B. NYSOA welcomes and encourages the formation of local records committees by its Member Clubs to review reports of local interest. Such committees are encouraged to submit these reports to NYSARC. Additionally, all persons are encouraged to submit their individual reports to NYSARC.

VIII. Meeting

NYSARC shall meet as a body at least once a year. The meeting may be held in-person or virtually on a video conference call medium.

IX. New York State Record Boundaries

We follow national and state boundaries inland, on the Great Lakes, and Long Island Sound. The pelagic zone extends to the 200 nautical mile mark with the state boundary lines calculated using the NPoL/CPoL (Nearest/Closest Point of Land) method.

Appendix.

Summary of votes and consequences (For reopening previously reviewed submissions see Section VI. D. For species new to the *Checklist of the Birds of New York State*, see Section VI. C. 4.)

FIRST ROUND

7-0 accept
6-1 accept
5-2 recirculate
4-3 recirculate
3-4 recirculate
2-5 reject
1-6 reject
0-7 reject

SECOND ROUND

7-0 accept
6-1 accept
5-2 recirculate
4-3 recirculate
3-4 reject
2-5 reject
1-6 reject
0-7 reject

THIRD ROUND

7-0 accept
6-1 accept
5-2 reject
4-3 reject
3-4 reject
2-5 reject
1-6 reject
0-7 reject