

1 **BYLAWS OF THE**  
2 **HUMAN RIGHTS COMMISSION**  
3 **OF THE CITY AND COUNTY OF SAN FRANCISCO**

4 Article I -- Identification and Purpose

5 Section 1. Name  
6

7 The name of this commission shall be the Human Rights Commission of the City  
8 and County of San Francisco ("Commission.")

9 Section 2. Office  
10

11 The principal office for the transaction of the activities and affairs of the  
12 Commission shall be fixed and located at 25 Van Ness Avenue, San Francisco, CA 94102  
13 6033.  
14

15 Any change of location of the principal office shall be noted by the secretary on  
16 these Bylaws opposite this section without amendment.

17 Section 3. Purpose  
18

19 The purpose of the Commission is to give effect to the rights of every inhabitant  
20 of the City and County to equitable economic, political and educational opportunity, to  
21 equitable accommodations in all business establishments in the City and County and to  
22 equitable service and protection by public agencies; to eliminate prejudice and  
23 discrimination because of race, color, creed, religion, national origin, ancestry, place of  
24 birth, age, sex, sexual orientation, gender identity, domestic partner status, marital  
25 status, disability or Acquired Immune Deficiency Syndrome, HIV status, weight, height,  
26 or association with members of such classes; to inform the inhabitants of the City and  
27 County of developments in human relations; to provide expert advice and assistance to  
28 the officers, agencies, boards, departments, and employees of the City and County in  
29 undertaking ameliorative practices to keep peace and good order; and to officially  
30 encourage private persons and groups to promote and provide equal opportunity for  
31 and good will toward all people.

32 Section 4. Authority  
33

34 The Commission shall exercise its authority, functions, powers, and duties in  
35 accordance with the Charter for the City and County of San Francisco ("Charter") Section  
36 4.100-4.104 and 4.107 and all rules, regulations, orders, and laws of the City and County  
37 of San Francisco, including, without limitation thereto, the applicable provisions of the  
38 San Francisco Administrative Code and Police Code and in accordance with these

39 Commission Bylaws.

40 Article II – Members of the Commission

41 Section 1. Membership

42

43 The Commission is part of the executive branch of the City and County of San  
44 Francisco, and it shall have eleven (11) members appointed by the Mayor . (S.F. Charter §  
45 4.107.)

46 Section 2. Term of Appointment

47

48 Except as otherwise provided by law, the term of office of Commissioners shall  
49 be four (4) years terms. Commissioners may be removed by the Mayor. (S.F. Charter §  
50 4.107.)

51 Section 3. Limitation on Hold Over Service

52

53 Commissioners may not serve on the Commission as hold-overs for more than  
54 sixty (60) days after the end of their terms. (S.F. Charter § 4.101.5.)

55

56 Section 4. Oath of Public Office

57

58 Swearing to the Oath of Public Office constitutes the Commissioner's sworn  
59 responsibility to the public trust.

60

61 Article III – Officers

62 Section 1. Officers

63

64 The Officers of the Commission shall be a Chairperson of the Commission  
65 ("Chair"), a Vice Chairperson ("Vice-Chair"), and such other officers with such titles and  
66 duties as shall be stated in these bylaws or determined by the Commission in  
67 accordance with applicable law.

68 Section 2: Officer's Term of Appointment

69

70 The term of each office is one (1) year. The elections of the Chair and Vice-Chair  
71 shall occur at the completion of the one (1)-year term (or as needed in the event of the  
72 officer's resignation or the expiration of the officer's mayoral appointment), at the first  
73 regular meeting of the Commission held after the first day of January of each year, or at  
74 a subsequent meeting, the date of which shall be fixed by the Commission at the first  
75 regular meeting held after the first day of January of each year.

76

77 Section 3. General Duties and Responsibilities of the Chair

78

79

The Chair shall preside at all meetings of the Commission. The Chair shall perform all duties incident to the office of Chair such other duties as may be prescribed elsewhere in the Commission Bylaws or as may be assigned by the Commission or which are otherwise necessary or incidental to the office.

82

83

84

Section 4. General Duties and Responsibilities of the Vice-Chair

85

86

87

88

89

90

91

92

93

In the absence or disability of the Chair, the Vice-Chair shall perform temporarily all duties of the Chair, and when so acting shall have all the powers, of, and be subject to all restrictions upon, the Chair. In the event of the Chair's inability to act, the Commission shall elect a new Chair at the next regular or special meeting to serve until the expiration of the term of the succeeded Chair. If the office of Vice-Chair is vacated before the expiration of a term, it shall remain vacant until the next regular meeting, at which time the Commission shall elect a new Vice-Chair to serve until the expiration of the term of the succeeded Vice-Chair.

94

Article IV – Meetings

95

96

97

98

99

100

101

102

103

104

Section 1. Regular Meetings

The Commission shall hold its regular meetings in City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, San Francisco, California, at 5:00 p.m. every second and fourth Thursday of each month, except for the months of July and August and November and December there shall be only one meeting. Additional meetings for the months of July, or August, November, or December, if any, shall be noticed as special meetings.

105

106

107

108

109

110

The Commission shall annually designate a meeting for planning its goals and objectives and reviewing its prior year performance.

Section 2. Special Meetings

The Chair or a majority of the members of the Commission may call special meetings to address specific matters. Special meetings shall be noticed in accordance with Section 67.6(f) of the San Francisco Sunshine Ordinance (S.F. Admin. Code, ch. 67, § 67.6(f).)

111

112

113

114

115

116

117

118

Section 3. Noticing Meetings

The agenda of all regular meetings and notices and agendas of all special meetings shall be posted on the Commission website, at the meeting site, the San Francisco Main Library Government Information Center and the Commission Office at least seventy-two (72) hours in advance of each meeting. Agendas and notices shall be provided to each Commissioner and any person who files a written request for such notice.

119 Section 4. Cancellation of Meetings

120

121 The Chair may cancel a regular or special meeting if she or he is aware that a  
122 quorum of the body will not be present or if the meeting date conflicts with other  
123 responsibilities of the Commissioners. The Chair may cancel a meeting if after roll call a  
124 quorum fails to attend or during a scheduled meeting the Commission loses a quorum.  
125 Notices of continued, rescheduled, or cancelled meetings shall be posted as provided in  
126 Section 3 of Article IV. If time permits, notices of continued, rescheduled, or cancelled  
127 meetings shall be mailed to any person who files a written request to receive notices  
128 and agendas as provided in Section 3 of this Article.

129

130 Section 5. Quorum

131

132 The presence of a majority of Commissioners (six members) is required to  
133 conduct a meeting and shall constitute a quorum for all purposes. When a quorum fails  
134 to attend a scheduled meeting or the Commission loses a quorum because of the  
135 departure of some members, the only official actions the Commission may take are: (1)  
136 fix the time to which to adjourn; (2) adjourn the meeting; (3) recess the meeting; or (4)  
137 take measures to secure quorum. Any other action taken by the Commission while it  
138 does not have a quorum is void.

139 A. Section 6. Conduct of Meetings Public Participation. All Commission meetings  
140 and all committee meetings shall be open and public, and all persons shall be  
141 permitted to attend any meeting of the Commission. The Commission may meet  
142 in closed session at regular or special meetings as permitted by law. All meetings  
143 shall be conducted in compliance with all applicable laws, including, but not  
144 limited to Charter Section 4.104(2), the Ralph M. Brown Act (Government Code  
145 Section 54950 et. Seq.), the San Francisco Sunshine Ordinance (San Francisco  
146 Administrative Code, Chapter  
147 67) and these Commission Bylaws.

148

149 B. Public Comment. Members of the public are entitled to comment on any matter  
150 on the calendar prior to action being taken by the Commission on that item or  
151 prior to calling the next item on the agenda. In addition, the agenda shall  
152 provide an opportunity for members of the public to address the Commission on  
153 items within the subject matter jurisdiction of the Commission and have not  
154 been the subject of public comment on other items on the agenda.

155

156 Upon the specific findings of the Commission and support thereof, the Chair may  
157 set a reasonable time limit for each speaker, based on such factors as the  
158 complexity and nature of the agenda item, the number of anticipated speakers  
159 for that item, and the number and anticipated duration of other agenda items.

160

161 Individual Commissioners and Commission staff should refrain from entering into  
162 any debates or discussion with speakers during public comment.

163

164 C. Registration to Comment. The Chair may request speakers who wish to address  
165 the Commission to submit a speaker card before or during the Commission  
166 agenda item upon which they wish to comment. The Chair shall use speaker  
167 cards only as an aid to meeting management. The public has a right to address  
168 the Commission anonymously

169

170 D. Translation of Comments or Testimony. Where a speaker with limited English  
171 proficiency requires translation to comment or testify, the time used for  
172 repeating comments or testimony in English shall not count against the  
173 applicable time limit for public comment.

174

175 E. Parliamentary Procedures. All meetings shall be conducted according to the  
176 most recent edition of *Roberts Rules of Order* (Revised) unless provided  
177 otherwise herein.

178

#### 179 Section 7. Agenda

180

181 Chair and Commission staff shall prepare the agenda. The agenda shall consist  
182 of items requested by the Chair, the Director, or Commissioners. The Commission  
183 Secretary shall maintain an e-mail list of community members and organizations that  
184 request electronic copies of the Commission agenda.

#### 185 Section 8. Voting and Abstention

186

187 The affirmative vote of a majority of Commissioners (six votes) shall be required  
188 for the approval of all matters. The Commission shall take action on items on the  
189 agenda by roll call vote, voice vote, or by a show of hands. Each Commissioner present  
190 at a Commission meeting shall vote "yes" or "no" when each question is put forth  
191 unless; (1) excused from voting by motion and adopted by majority of members; or (2)  
192 the member has a conflict of interest that legally precludes participation in the  
193 discussion and vote. In consultation with the City Attorney's Office, the individual  
194 Commissioner shall determine whether he or she has a conflict of interest, which  
195 precludes participation in a vote.

196

197 A roll call shall not be interrupted, but a Commissioner may, prior to calling the  
198 roll, explain his or her vote, or file in writing an explanation thereof after the result of  
199 the roll call has been announced and recorded. The minutes shall reflect how each  
200 Commissioner voted on each item.

#### 201 Section 9. Commissioner's Code of Ethics

202

203 Commissioners agree to maintain the highest standards of professional and  
204 personal conduct. Each Commissioner shall adhere to the highest standards of ethical  
205 conduct and support the Commission's mission, goals and objectives and instill in the  
206 public a sense of confidence in the Commission's operations. The standard of conduct  
207 for the Commission includes, but is not limited to:

- 208  
209 1. Being accountable for its rules of procedures and decisions, and promoting  
210 accountability of all members of the Commission and Commission staff;  
211
- 212 2. Treating all Commission staff, members of the public and colleagues with  
213 courtesy, respect, objectivity, and fairness;  
214
- 215 3. Conducting all Commission business in a timely manner and in public meetings  
216 with full disclosure of policies and procedures; and engaging in the decision-  
217 making process, except for those matters authorized under the Brown Act and  
218 the San Francisco Sunshine Ordinance to be considered in closed session; and  
219
- 220 4. Reviewing its actions, recommendations, and procedures periodically to  
221 determine whether the Commission has adhered to its Code of Ethics and  
222 mission in all respects.

## 223 Article V – Commission Records

### 224 Section 1. Minutes

225  
226 Minutes shall be taken at every regular and special Commission and committee  
227 meeting and shall comply with the provisions of the San Francisco Sunshine  
228 Ordinance. (S.F. Admin. Code, ch. 67, § 67.16.)

### 229 230 Section 2. Public Review File

231  
232 The Commission shall maintain a public review file in compliance with the San  
233 Francisco Sunshine Ordinance. (See S.F. Admin. Code, ch. 67, § 67.23.)

### 234 Section 3. Records Retention Policy

235  
236 The Commission shall create and maintain a record retention and destruction  
237 policy. (S.F. Admin. Code, ch. 8, § 8.3.)

### 238 Section 4. Audio Recordings

239  
240 The Commission shall audio record all regular and special meetings, and all  
241 closed sessions. The audio recordings shall be maintained and released to the public in  
242 accordance with the San Francisco Sunshine Ordinance. (See, S.F. Admin. Code, ch. 67, §  
243 Section 67.14(b) and 67.8-1.)

244 Section 5. Commission Mail

245

246 The Commission Secretary shall promptly notify Commissioners of all  
247 correspondences.

248

249 Article VI – Advisory Committees

250 Section 1. Creation of Commission Advisory Committees

251 The Chair of the Commission may establish Advisory Committees as deemed  
252 necessary to meet the goals or mission of the Commission. Advisory Committees are an  
253 integral and vitally important component of the Commission, providing for community  
254 involvement and opportunity for in-depth study and exploration of issues.

255 Section 2: Function and Operation of the Advisory Committees

256

257 The role of the Advisory Committees is to provide advice and assistance to the  
258 Commission by developing and examining ideas and issues within the jurisdiction of the  
259 Commission. The Advisory Committees may also hold public hearings and make  
260 recommendations of positions for the Commission to take on legislation.

261 Section 3: Advisory Committee Guidelines

262

263 The Commission shall adopt and revise from time to time guidelines governing  
264 the function and operation of each Advisory Committee, the responsibilities of  
265 Community Members, Commissioners, and Department Staff.

266 Section 4: Recruitment, Appointments, Terms and Removal

267 The Commission Chair assigns Commissioners to each Advisory Committee and  
268 appoints members from the Community in accordance with the Advisory Committee  
269 Guidelines, to participate in these Advisory Committees.

270

271 Commissioners serving on Advisory Committees will be appointed by the  
272 Commission Chair at the beginning of the calendar year or at any other time that such  
273 appointment is necessary. Each Commissioner serving on an Advisory Committee will  
274 either be designated “Chair” (if one commissioner serves) or “Co-Chair” (if more than  
275 one commissioner serves) of the Advisory Committee. Commissioners are expected to  
276 maintain regular attendance at Advisory Committee meetings and activities.  
277 Commissioners serving on Advisory Committees are also expected to consult regularly  
278 with Commission staff to develop and implement a work-plan over the course of the  
279 calendar year.

280

281 Commissioners assigned to each Advisory Committee will coordinate with  
282 Commission staff to oversee the nomination and selection of Advisory Committee

283 members. Each Advisory Committee shall have, in addition to Commissioners serving on  
284 the Advisory Committee, a membership target of 15 – 25 Community Members. No  
285 Advisory Committees’ membership shall exceed 25 Community Members without  
286 approval of the Commission Chair.

287

288 Commission staff shall present the Commission Chair with a list of proposed new  
289 Advisory Committee appointments, approved by the assigned Commissioners, no later  
290 than the date of the last Commission meeting of the calendar year.

291

292 Community Members may reapply for membership to their respective Advisory  
293 Committee for up to a total of 3 consecutive terms, no Community Member may serve  
294 more than 3 consecutive terms on a specific Advisory Committee. However, this shall  
295 not be a prohibition against any formerly “termed out” Community Member applying  
296 to serve a new term after taking a 1-year hiatus from serving on an Advisory  
297 Committee. Additionally, there shall be no prohibition on Community Members of one  
298 Advisory Committee moving to another Advisory Committee without a 1-year hiatus.

299

300 Community Members are to attend regularly and to participate actively in  
301 Advisory Committee meetings and activities. If a Community Member accumulates 3  
302 absences (whether or not they are excused) in a calendar year, that Community  
303 Member shall be warned about potential removal from the Advisory Committee by the  
304 Commission staff as approved by the Commissioners assigned to each advisory  
305 committee, unless the Commission Chair makes an exception. Actual removal of a  
306 Community Member, after 3 absences, may be advised by the assigned Commissioners  
307 and executed by the Commission staff after approval by the Commission Chair.

308

309 On January 1<sup>st</sup> of each year, the Commission Chair, in agreement with the  
310 Commissioners and in consultation with Commission staff assigned to each Advisory  
311 Committee, may elect to reconstitute the membership of each Advisory Committee.

312

313 Community Members may be removed at the discretion of the Chair, in  
314 consultation with Commission Staff and Commissioners assigned to each Advisory  
315 Committee, at any time. A decision by the Chair to remove can be overruled by a vote of  
316 the majority of the Commission, if taken within 30 days of the removal.

317

#### 318 Section 5: Committee Actions

319

320 All Advisory Committee actions shall represent recommendations to the  
321 Commission and shall be subject to approval of the Commission as a whole.

322

323 Recommendations may be based on a consensus where such exists or on the  
324 presentation of the majority and minority points of view.

325



326 All Advisory Committee recommendations or reports shall be brought to the  
327 Commission for review and potential action through the Commissioners assigned to the  
328 Advisory Committee or the person designated by the assigned Commissioners.

329  
330 All Advisory Committee recommendations for public hearings must be brought  
331 to the Commission for review. If approved, the Commission Chair shall appoint a special  
332 taskforce to plan the public hearing and prepare an agenda for the Commission to  
333 approve in advance of the public hearing. The Commission may modify, augment or  
334 reject the recommended agenda.

335  
336 Each Advisory Committee shall meet at regularly scheduled times and places,  
337 and at such additional meetings as deemed necessary by the Commissioners assigned  
338 to the Advisory Committee, or by a majority for the Advisory Committee. All meetings  
339 shall be conducted in compliance with all applicable laws, including, but not limited to,  
340 Charter Section 4.104(2), the Ralph M. Brown Act (Government Code Section 54950 et.  
341 seq.), the San Francisco Sunshine Ordinance (San Francisco Administrative Code,  
342 Chapter 67) and these Commission By-Laws.

343  
344 Advisory Committees may form subcommittees, task forces and work groups  
345 with the approval of the Commissioners assigned to the Advisory Committees and the  
346 Commission Chair.

347 Section. 6 Advisory Committees

348  
349 A. Lesbian Gay Bisexual Transgender Queer/Questioning Intersex Advisory  
350 Committee

351  
352 The Lesbian Gay Bisexual Transgender Queer/Questioning Intersex Advisory  
353 Committee (LGBTQIAC) was established in May of 1975 by amendment to Chapter  
354 12A of the San Francisco Administrative Code.

355  
356 Members of the LGBTQIAC should reside or work in San Francisco. Exceptions to  
357 San Francisco residency may be made with the recommendation of the  
358 Commissioners assigned to the Advisory Committee and approval of the  
359 Commission Chair. Exceptions to San Francisco residency should usually be when  
360 individuals have particular, knowledge, experience or skills unrepresented by  
361 other members of the LGBTQIAC and have demonstrated significant ties to San  
362 Francisco. Exceptions to San Francisco residency must be limited to no more than  
363 three individuals annually. Such exceptions must be approved by the Commission  
364 Chair, after being suggested by one or more of the assigned Commissioners  
365 serving as committee co-chairs.

366  
367 Of the 25 potential seats comprising the LGBTQIAC, up to five seats may be

368 reserved for members who are elected officials affiliated with the LGBTQI  
369 community or their personally designated representatives; and up to ten seats  
370 may be reserved for members who are the chief executive officer or equivalent  
371 (e.g., executive director) of organizations affiliated with the LGBTQI community or  
372 their personally designated, specifically named representatives. The balance of  
373 seats will be reserved for other interested individuals who are affiliated with the  
374 LGBTQI community, and will be comprised primarily of San Francisco residents.

375  
376 The seats reserved for elected officials or their representatives, and community  
377 organization chief executives or their representatives, are not transferable  
378 between the elected or chief and their representatives. LGBTQIAC membership  
379 will be comprised only with specifically nominated and approved individuals as  
380 outlined above.

381  
382 The Advisory Committee strives to represent the diversity of the Lesbian, Gay,  
383 Bisexual, Transgender, Queer/Questioning, Intersex communities. The LGBTQIAC  
384 provides assistance and advice to the Commission regarding discrimination  
385 against the lesbian, gay, bisexual, and transgender, queer/questioning, intersex  
386 and related communities; advocates for the civil rights of persons with AIDS/HIV;  
387 and educates the these communities about issues of diversity within the  
388 communities.

389  
390 The LGBTQIAC meets on a regular basis, at least quarterly, according to a  
391 schedule recommended by the Commissioners assigned to the Advisory  
392 Committee, in consultation with Commission staff, and approved by the  
393 Commission Chair. Meetings will be held at the at the HRC offices in San  
394 Francisco, unless otherwise moved as recommended by the Commissioners  
395 assigned to the LGBTQIAC.

#### 396 B. Equity Advisory Committee

397  
398 The Human Rights Commission merged the Employment Advisory Committee  
399 and Issues Advisory Committee to form one committee, the Equity Advisory  
400 Committee (EAC). The Equity Advisory Committee will address all issues within  
401 the HRC's jurisdiction that do not fall under the purview of the LGBTQI Advisory  
402 Committee. Specifically, the Equity Advisory Committee will be charged with  
403 monitoring and advising the Commission with respect to issues concerning  
404 employment, education, housing and any other areas affecting the human  
405 rights of San Francisco's residents. All members of the Equity Advisory  
406 Committee should reside in San Francisco.

407  
408 However, at the recommendation of the Commissioner(s) chairing the EAC, the  
409 Commission Chair may, at his/her discretion, appoint to serve on the EAC up to  
410 three (3) individuals who do not reside in San Francisco when those individuals

411 have particular, knowledge, experience or skills unrepresented by other  
412 members of the EAC and have demonstrated significant ties to San Francisco.  
413

414 D. Other Committees

415  
416 The Commission or the Chair, at his or her discretion, may establish other  
417 committees or task forces on an ad-hoc basis to perform tasks for functions as  
418 necessary. The Chair shall appoint members to such committees who shall serve  
419 at the pleasure of the Commission, unless a term of office is specified.

420 Article VII – Attendance

421 Section 1: Attendance Requirements

422 Except in the event of a notified absence (defined below), each Commissioner is  
423 expected to attend each regular or special meeting of the Commission. Commission  
424 Secretary shall maintain a record of members' attendance.

425 Section 2: Notified Absences

426  
427 A Commissioner's absence shall constitute a “notified absence” where the  
428 Commissioner, in advance of the meeting, informs the Commission Secretary that the  
429 Commissioner will be absent. An absence due to unforeseen circumstances such as  
430 illness or emergency shall also qualify as a notified absence where the Commissioner  
431 reports such absence to the Commission Secretary as soon as reasonably possible. The  
432 Commission Secretary shall record as non-notified all absences involving neither  
433 advance notice nor unforeseen circumstances.

434 Section 3: Report to the Appointing Authority

435  
436 The Commission Secretary shall report all instances of non-notified absences as  
437 well as any instance of three consecutive absences of a member from regular meetings  
438 in a fiscal year to the member’s appointing authority.

439 Section 4: Annual Attendance Report

440  
441 At the end of each fiscal year, the Commission Secretary shall submit a written  
442 report to the appointing authorities of the Commission's membership detailing each  
443 Commissioner's attendance at all meetings of the Commission for that fiscal year.  
444

445 Article VIII – Director of the Commission

446 Section 1. Appointment

447

448           The Director shall serve as the administrative head of Commission affairs and  
449 shall have all of the powers and duties of a department head under the provision of the  
450 Charter. (S.F. Admin. Code, ch. 2A, § 2A.30; See S.F. Charter § 4.102.) The Mayor shall  
451 appoint the Director from candidates nominated by the Commission. Commission shall  
452 nominate at least three (3) qualified applicants, and, if rejected, make additional  
453 nomination in the same manner, to the Mayor for his or her approval. (S.F. Charter §  
454 4.102.)

455 Section 2. Removal

456           The Commission has the power to remove the Director by Commission action  
457 and the duty to act, by removing or retaining the Director, within thirty (30) days after  
458 receiving a recommendation by the Mayor that the Director be removed. (S.F. Charter §  
459 4.102.)  
460

461

462 Section 3. Grants and Contracts Approval

463

464           The Director, or his or her designee, shall provide the Commission with all  
465 contract and grant solicitations prior to its issuance. The Director, or his or her  
466 designee, shall submit all grants and contracts to the Commission for final approval.