

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 equal economic, political and educational opportunity, to
21 equal accommodations in all business establishments in the City and County and to
22 equal 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
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118

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.

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

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.

Article IV – Meetings

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 5:30 p.m. every second and fourth Thursday of each month, except for the months of July and August there shall be only one meeting on the second Thursday of the month. Additional meetings for the months of July or August, if any, shall be noticed as special meetings.

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).)

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 Section 5. Quorum

130

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

138 Section 6. Conduct of Meetings

139

140 A. Public Participation. All Commission meetings and all committee meetings shall
141 be open and public, and all persons shall be permitted to attend any meeting of
142 the Commission. The Commission may meet in closed session at regular or
143 special meetings as permitted by law. All meetings shall be conducted in
144 compliance with all applicable laws, including, but not limited to Charter Section
145 4.104(2), the Ralph M. Brown Act (Government Code Section 54950 et. Seq.), the
146 San Francisco Sunshine Ordinance (San Francisco 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 Ordinance.
228 (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 By the first Commission meeting in September, Commissioners assigned to each
282 Advisory Committee shall present to the Commission a recruiting plan and timeline for

283 new members. Commissioners assigned to each Advisory Committee will coordinate
284 with Commission staff to oversee the nomination and selection of Advisory Committee
285 members. Each Advisory Committee shall have, in addition to Commissioners serving on
286 the Advisory Committee, a membership target of 15 – 25 Community Members. No
287 Advisory Committees’ membership shall exceed 25 Community Members without
288 approval of the Commission Chair.

289

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

293

294 Community Members serving on Advisory Committees will be appointed for 2
295 year terms beginning January 1 and ending December 31 of the following year, unless
296 the Commission Chair approves an interim membership term. Although Community
297 Members may reapply for membership to their respective Advisory Committee for up
298 to a total of 3 consecutive terms, no Community Member may serve more than 3
299 consecutive terms on a specific Advisory Committee. However, this shall not be a
300 prohibition against any formerly “termed out” Community Member applying to serve a
301 new term after taking a 1-year hiatus from serving on an Advisory Committee.
302 Additionally, there shall be no prohibition on Community Members of one Advisory
303 Committee moving to another Advisory Committee without a 1-year hiatus.

304

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

313

314 On January 1st of each year, the Commission Chair, in agreement with the
315 Commissioners and in consultation with Commission staff assigned to each Advisory
316 Committee, may elect to reconstitute the membership of each Advisory Committee.

317

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

322

323 Section 5: Committee Actions

324

325 All Advisory Committee actions shall represent recommendations to the

326 Commission and shall be subject to approval of the Commission as a whole.

327

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

330

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

334

335 All Advisory Committee recommendations for public hearings must be brought
336 to the Commission for review. If approved, the Commission Chair shall appoint a special
337 taskforce to plan the public hearing and prepare an agenda for the Commission to
338 approve in advance of the public hearing. The Commission may modify, augment or
339 reject the recommended agenda.

340

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

348

349 Advisory Committees may form subcommittees, task forces and work groups
350 with the approval of the Commissioners assigned to the Advisory Committees and the
351 Commission Chair.

352 Section. 6 Advisory Committees

353

354 A. Lesbian Gay Bisexual Transgender Queer/Questioning Intersex Advisory
355 Committee

356

357 The Lesbian Gay Bisexual Transgender Queer/Questioning Intersex Advisory
358 Committee (LGBTQIAC) was established in May of 1975 by amendment to Chapter
359 12A of the San Francisco Administrative Code.

360

361 Members of the LGBTQIAC should reside or work in San Francisco. Exceptions to
362 San Francisco residency may be made with the recommendation of the
363 Commissioners assigned to the Advisory Committee and approval of the
364 Commission Chair. Exceptions to San Francisco residency should usually be when
365 individuals have particular, knowledge, experience or skills unrepresented by
366 other members of the LGBTQIAC and have demonstrated significant ties to San
367 Francisco. Exceptions to San Francisco residency must be limited to no more than

368 three individuals annually. Such exceptions must be approved by the Commission
369 Chair, after being suggested by one or more of the assigned Commissioners
370 serving as committee co-chairs.

371
372 Of the 25 potential seats comprising the LGBTQIAC, up to five seats may be
373 reserved for members who are elected officials affiliated with the LGBTQI
374 community or their personally designated representatives; and up to ten seats
375 may be reserved for members who are the chief executive officer or equivalent
376 (e.g., executive director) of organizations affiliated with the LGBTQI community or
377 their personally designated, specifically named representatives. The balance of
378 seats will be reserved for other interested individuals who are affiliated with the
379 LGBTQI community, and will be comprised primarily of San Francisco residents.

380
381 The seats reserved for elected officials or their representatives, and community
382 organization chief executives or their representatives, are not transferable
383 between the elected or chief and their representatives. LGBTQIAC membership
384 will be comprised only with specifically nominated and approved individuals as
385 outlined above.

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

394
395 The LGBTQIAC meets on a regular basis, at least quarterly, according to a
396 schedule recommended by the Commissioners assigned to the Advisory
397 Committee, in consultation with Commission staff, and approved by the
398 Commission Chair. The annual regular meeting schedule will be publicly
399 announced each year by the Commission staff, preferably 8-12 months in
400 advance. Meetings will be held at the at the HRC offices in San Francisco, unless
401 otherwise moved as recommended by the Commissioners assigned to the
402 LGBTQIAC.

403 B. Equity Advisory Committee

404
405 The HRC merged the Employment Advisory Committee and Issues Advisory
406 Committee to form one committee, the Equity Advisory Committee (EAC). The
407 Equity Advisory Committee will address all issues within the HRC's jurisdiction
408 that do not fall under the purview of the LGBTQI Advisory Committee.
409 Specifically, the Equity Advisory Committee will be charged with monitoring
410 and advising the Commission with respect to issues concerning employment,

411 education, housing and any other areas affecting the human rights of San
412 Francisco’s residents. All members of the Equity Advisory Committee should
413 reside in San Francisco.

414
415 However, at the recommendation of the Commissioner(s) chairing the EAC, the
416 Commission Chair may, at his/her discretion, appoint to serve on the EAC up to
417 three (3) individuals who do not reside in San Francisco when those individuals
418 have particular, knowledge, experience or skills unrepresented by other
419 members of the EAC and have demonstrated significant ties to San Francisco.

420
421 The Equity Advisory Committee will meet the second Wednesday of each month
422 from 5:30 p.m. to 7:30 p.m. at HRC offices, 25 Van Ness Avenue, Suite 800, in
423 San Francisco

424 D. Other Committees

425
426 The Commission or the Chair, at his or her discretion, may establish other
427 committees or task forces on an ad-hoc basis to perform tasks for functions as
428 necessary. The Chair shall appoint members to such committees who shall serve
429 at the pleasure of the Commission, unless a term of office is specified.

430 Article VII – Attendance

431 Section 1: Attendance Requirements

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

435 Section 2: Notified Absences

436
437 A Commissioner's absence shall constitute a “notified absence” where the
438 Commissioner, in advance of the meeting, informs the Commission Secretary that the
439 Commissioner will be absent. An absence due to unforeseen circumstances such as
440 illness or emergency shall also qualify as a notified absence where the Commissioner
441 reports such absence to the Commission Secretary as soon as reasonably possible. The
442 Commission Secretary shall record as non-notified all absences involving neither
443 advance notice nor unforeseen circumstances.

444 Section 3: Report to the Appointing Authority

445
446 The Commission Secretary shall report all instances of non-notified absences as
447 well as any instance of three consecutive absences of a member from regular meetings
448 in a fiscal year to the member’s appointing authority.

449 Section 4: Annual Attendance Report

450
451 At the end of each fiscal year, the Commission Secretary shall submit a written
452 report to the appointing authorities of the Commission's membership detailing each
453 Commissioner's attendance at all meetings of the Commission for that fiscal year.
454

455 Article VIII – Director of the Commission

456 Section 1. Appointment
457

458 The Director shall serve as the administrative head of Commission affairs and
459 shall have all of the powers and duties of a department head under the provision of the
460 Charter. (S.F. Admin. Code, ch. 2A, § 2A.30; See S.F. Charter § 4.102.) The Mayor shall
461 appoint the Director from candidates nominated by the Commission. Commission shall
462 nominate at least three (3) qualified applicants, and, if rejected, make additional
463 nomination in the same manner, to the Mayor for his or her approval. (S.F. Charter §
464 4.102.)

465 Section 2. Removal
466

467 The Commission has the power to remove the Director by Commission action
468 and the duty to act, by removing or retaining the Director, within thirty (30) days after
469 receiving a recommendation by the Mayor that the Director be removed. (S.F. Charter §
470 4.102.)
471

472 Section 3. Grants and Contracts Approval
473

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