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

5

Article I -- Identification and Purpose

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Section 1. Name

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

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Section 2. Office

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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.

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

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Section 3. Purpose

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

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Section 4. Authority

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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

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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.)

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56 Section 4. Oath of Public Office

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

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61 Article III – Officers

62 Section 1. Officers

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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

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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.

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83  
84 Section 4. General Duties and Responsibilities of the Vice-Chair

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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.

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Article IV – Meetings

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Section 1. Regular Meetings

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The Commission shall hold its regular meetings in City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, San Francisco, California, at ~~5:30~~ 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 ~~on the second Thursday of the month.~~ Additional meetings for the months of July, ~~or~~ August, November, or December, if any, shall be noticed as special meetings.

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

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Section 2. Special Meetings

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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).)

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Section 3. Noticing Meetings

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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

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118

119 notice.

120 Section 4. Cancellation of Meetings

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

130

131 Section 5. Quorum

132

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

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

149

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

156

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

- 161  
162 Individual Commissioners and Commission staff should refrain from entering into  
163 any debates or discussion with speakers during public comment.  
164
- 165 C. Registration to Comment. The Chair may request speakers who wish to address  
166 the Commission to submit a speaker card before or during the Commission  
167 agenda item upon which they wish to comment. The Chair shall use speaker  
168 cards only as an aid to meeting management. The public has a right to address  
169 the Commission anonymously  
170
- 171 D. Translation of Comments or Testimony. Where a speaker with limited English  
172 proficiency requires translation to comment or testify, the time used for  
173 repeating comments or testimony in English shall not count against the  
174 applicable time limit for public comment.  
175
- 176 E. Parliamentary Procedures. All meetings shall be conducted according to the  
177 most recent edition of *Roberts Rules of Order (Revised)* unless provided  
178 otherwise herein.  
179

180 Section 7. Agenda

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

186 Section 8. Voting and Abstention

187  
188 The affirmative vote of a majority of Commissioners (six votes) shall be required  
189 for the approval of all matters. The Commission shall take action on items on the  
190 agenda by roll call vote, voice vote, or by a show of hands. Each Commissioner present  
191 at a Commission meeting shall vote "yes" or "no" when each question is put forth  
192 unless; (1) excused from voting by motion and adopted by majority of members; or (2)  
193 the member has a conflict of interest that legally precludes participation in the  
194 discussion and vote. In consultation with the City Attorney's Office, the individual  
195 Commissioner shall determine whether he or she has a conflict of interest, which  
196 precludes participation in a vote.  
197

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

202 Section 9. Commissioner's Code of Ethics

203

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

209

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

224

#### Article V – Commission Records

225

##### Section 1. Minutes

226

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

230

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##### Section 2. Public Review File

232

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

235

##### Section 3. Records Retention Policy

236

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

239

##### Section 4. Audio Recordings

240

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

244 Section 67.14(b) and 67.8-1.)

245 Section 5. Commission Mail

246

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

249

250 Article VI – Advisory Committees

251 Section 1. Creation of Commission Advisory Committees

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

256 Section 2: Function and Operation of the Advisory Committees

257

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

262 Section 3: Advisory Committee Guidelines

263

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

267 Section 4: Recruitment, Appointments, Terms and Removal

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

271

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

278 Commissioners serving on Advisory Committees are also expected to consult regularly  
279 with Commission staff to develop and implement a work-plan over the course of the  
280 calendar year.

281

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

290

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

294

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

305

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

314

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

318

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

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324 Section 5: Committee Actions



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

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

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

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

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

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

Section. 6 Advisory Committees

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

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

Members of the LGBTQIAC should reside or work in San Francisco. Exceptions to San Francisco residency may be made with the recommendation of the Commissioners assigned to the Advisory Committee and approval of the Commission Chair. Exceptions to San Francisco residency should usually be when individuals have particular, knowledge, experience or skills unrepresented by

367 other members of the LGBTQIAC and have demonstrated significant ties to San  
368 Francisco. Exceptions to San Francisco residency must be limited to no more than  
369 three individuals annually. Such exceptions must be approved by the Commission  
370 Chair, after being suggested by one or more of the assigned Commissioners  
371 serving as committee co-chairs.

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

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

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

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

#### 404 B. Equity Advisory Committee

405  
406 The ~~HRC~~ **Human Rights Commission** merged the Employment Advisory  
407 Committee and Issues Advisory Committee to form one committee, the Equity  
408 Advisory Committee (EAC). The Equity Advisory Committee will address all  
409 issues within the HRC's jurisdiction that do not fall under the purview of the

410 LGBTQI Advisory Committee. Specifically, the Equity Advisory Committee will  
411 be charged with monitoring and advising the Commission with respect to issues  
412 concerning employment, education, housing and any other areas affecting the  
413 human rights of San Francisco’s residents. All members of the Equity Advisory  
414 Committee should reside in San Francisco.

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

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

#### 425 D. Other Committees

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

### 431 Article VII – Attendance

#### 432 Section 1: Attendance Requirements

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

#### 436 Section 2: Notified Absences

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

#### 445 Section 3: Report to the Appointing Authority

446  
447 The Commission Secretary shall report all instances of non-notified absences as  
448 well as any instance of three consecutive absences of a member from regular meetings

449 in a fiscal year to the member’s appointing authority.

450 Section 4: Annual Attendance Report

451

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

455

456 Article VIII – Director of the Commission

457 Section 1. Appointment

458

459 The Director shall serve as the administrative head of Commission affairs and  
460 shall have all of the powers and duties of a department head under the provision of the  
461 Charter. (S.F. Admin. Code, ch. 2A, § 2A.30; See S.F. Charter § 4.102.) The Mayor shall  
462 appoint the Director from candidates nominated by the Commission. Commission shall  
463 nominate at least three (3) qualified applicants, and, if rejected, make additional  
464 nomination in the same manner, to the Mayor for his or her approval. (S.F. Charter §  
465 4.102.)

466 Section 2. Removal

467

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

472

473 Section 3. Grants and Contracts Approval

474

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