

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

Article I -- Identification and Purpose

Section 1. Name

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

Section 2. Office

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

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

Section 3. Purpose

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

Section 4. Authority

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

Commission Bylaws.

Article II – Members of the Commission

Section 1. Membership

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

Section 2. Term of Appointment

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

Section 3. Limitation on Hold Over Service

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

Section 4. Oath of Public Office

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

Article III – Officers

Section 1. Officers

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

Section 2: Officer's Term of Appointment

Officers shall serve a term of one (1) year, or until their successors are elected. The elections of the Chair and Vice-Chair shall occur at the completion of the one (1)-year term (or as needed in the event of the officer's resignation or the expiration of the officer's mayoral appointment), at the first regular meeting of the Commission held after the first day of January, or at a subsequent meeting, the date of which shall be fixed by the Commission.

78 Section 3. General Duties and Responsibilities of the Chair

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80 The Chair shall preside at all meetings of the Commission. The Chair shall
81 perform all duties incident to the office of Chair such other duties as may be prescribed
82 elsewhere in the Commission Bylaws or as may be assigned by the Commission or which
83 are otherwise necessary or incidental to the office.
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85 Section 4. General Duties and Responsibilities of the Vice-Chair

86
87 In the absence or disability of the Chair, the Vice-Chair shall perform temporarily
88 all duties of the Chair, and when so acting shall have all the powers, of, and be subject
89 to all restrictions upon, the Chair. In the event of the Chair's inability to act, the
90 Commission shall elect a new Chair at the next regular or special meeting to serve until
91 the expiration of the term of the succeeded Chair. If the office of Vice-Chair is vacated
92 before the expiration of a term, it shall remain vacant until the next regular meeting, at
93 which time the Commission shall elect a new Vice-Chair to serve until the expiration of
94 the term of the succeeded Vice-Chair.

95 Article IV – Meetings

96 Section 1. Regular Meetings

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98 The Commission shall hold its regular meetings in City Hall, 1 Dr. Carlton B.
99 Goodlett Place, Room 416, San Francisco, California, at 5:00 p.m. every second and
100 fourth Thursday of each month, except that for the months of July, August, November,
101 and December, there shall be only one meeting on the second Thursday of the month.
102 Additional meetings for the months of July, August, November, or December, if any,
103 shall be noticed as special meetings.
104

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

107 Section 2. Special Meetings

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109 The Chair or a majority of the members of the Commission may call special
110 meetings to address specific matters. Special meetings shall be noticed in accordance
111 with Section 67.6(f) of the San Francisco Sunshine Ordinance (S.F. Admin. Code, ch. 67, §
112 67.6(f).)

113 Section 3. Noticing Meetings

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115 The agenda of all regular meetings and notices and agendas of all special
116 meetings shall be posted on the Commission website, at the meeting site, the San
117 Francisco Main Library Government Information Center and the Commission Office at
118 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.

Section 4. Cancellation of Meetings

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

Section 5. Quorum

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

Section 6. Conduct of Meetings

A. Public Participation. All Commission meetings and all committee meetings shall be open and public, and all persons shall be permitted to attend any meeting of the Commission. The Commission may meet in closed session at regular or special meetings as permitted by law. 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 Bylaws.

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

Upon the specific findings of the Commission and support thereof, the Chair may

set a reasonable time limit for each speaker, based on such factors as the complexity and nature of the agenda item, the number of anticipated speakers for that item, and the number and anticipated duration of other agenda items.

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

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

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

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

Section 7. Agenda

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

Section 8. Voting and Abstention

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

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

Commissioner voted on each item.

Section 9. Commissioner's Code of Ethics

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

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

Article V – Commission Records

Section 1. Minutes

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

Section 2. Public Review File

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

Section 3. Records Retention Policy

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

Section 4. Audio Recordings

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

247 Section 5. Commission Mail

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249 The Commission Secretary shall promptly notify Commissioners of all
250 correspondences.

251

252 Article VI – Advisory Committees

253 Section 1. Creation of Commission Advisory Committees

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

258 Section 2: Function and Operation of the Advisory Committees

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

264 Section 3: Advisory Committee Guidelines

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

269 Section 4: Recruitment, Appointments, Terms and Removal

270 The Commission Chair assigns Commissioners to each Advisory Committee and
271 appoints members from the Community, in accordance with any applicable provisions in
272 the Advisory Committee Guidelines, to participate in these Advisory Committees.

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

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

290
291 Advisory Committee Member terms are two years in duration. There shall be no limit
292 on the number of terms a Commissioner may serve on an Advisory Committee. Community
293 Members may reapply for membership to their respective Advisory Committee for up to a
294 total of 4 consecutive terms, no Community Member may serve more than 4 consecutive
295 terms on a specific Advisory Committee. However, this shall not be a prohibition against any
296 formerly "termed out" Community Member applying to serve a new term after taking a 1-
297 year hiatus from serving on an Advisory Committee. Additionally, there shall be no
298 prohibition on Community Members of one Advisory Committee moving to another
299 Advisory Committee without a 1-year hiatus.

300
301 Each Advisory Committee Member is expected to attend each regular or special
302 meeting of the Advisory Committee. The Commission Secretary shall maintain a record of
303 members' attendance. Failure to attend three (3) scheduled meetings during a calendar
304 year may be a basis for removal from the committee.

305
306 Advisory Committee Members may be removed at any time at the discretion of the
307 Commission Chair, in consultation with Commission Staff and, with respect to Community
308 Members, Commissioners assigned to each Advisory Committee. A decision by the
309 Commission Chair to remove can be overruled by a vote of the majority of the Commission, if
310 taken within 30 days of the removal.

313 Section 5: Committee Actions

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

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

320
321 All Advisory Committee recommendations or reports shall be brought to the
322 Commission for review and potential action through the Commissioners assigned to the
323 Advisory Committee or the person designated by the assigned Commissioners.

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

330
331 Each Advisory Committee shall meet at regularly scheduled times and places, and at
332 such additional meetings as deemed necessary by the Commissioners assigned to the
333 Advisory Committee, or by a majority for the Advisory Committee. All meetings shall be
334 conducted in compliance with all applicable laws, including, but not limited to, Charter
335 Section 4.104(2), the Ralph M. Brown Act (Government Code Section 54950 et. seq.), the
336 San Francisco Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) and
337 these Commission By-Laws.

338
339 Advisory Committees may form subcommittees, task forces and work groups with
340 the approval of the Commissioners assigned to the Advisory Committees and the
341 Commission Chair.

342 Section. 6 Advisory Committees

343
344 A. Lesbian Gay Bisexual Transgender Queer Intersex Advisory Committee

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

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350 The LGBTQIAC strives to recognize the diversity of the Lesbian, Gay, Bisexual,
351 Transgender, Queer, Intersex communities. The LGBTQIAC provides assistance and
352 advice to the Commission regarding discrimination against the Lesbian, Gay, Bisexual,
353 And Transgender, Queer, Intersex and related communities; advocates for the civil
354 rights of persons with AIDS/HIV; and educates these communities about issues of

diversity within the communities.

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 LGBTQIAC and approval of the Commission Chair. Exceptions to San Francisco residency should usually be made when individuals have particular, knowledge, experience or skills unrepresented by other members of the LGBTQIAC and have demonstrated significant ties to San Francisco. Exceptions to San Francisco residency must be limited to no more than three individuals annually. Such exceptions must be approved by the Commission Chair, after being suggested by one or more of the assigned Commissioners serving as committee chair or co-chairs.

There may be up to 15 seats on the LGBTQIAC, as determined by the Commission Chair.

The LGBTQIAC meets on a quarterly basis, according to a schedule recommended by the LGBTQIAC Committee Members, in consultation with Commission staff, and approved by the Commissioner(s) serving on the LGBTQIAC.

B. Equity Advisory Committee

The Equity Advisory Committee (EAC) will address all issues within the HRC's jurisdiction that do not fall under the purview of the LGBTQIAC. Specifically, the EAC will be charged with monitoring and advising the Commission with respect to issues concerning monitoring department grant contract agreements, youth and education, economic rights, housing and any other areas affecting the human rights of San Francisco's residents. All members of the EAC should reside or work in San Francisco.

Exceptions to San Francisco residency may be made with the recommendation of the Commissioners serving on the EAC and approval of the Commission Chair. Exceptions to San Francisco residency should usually be made when individuals have particular, knowledge, experience or skills unrepresented by other members of the EAC and have demonstrated significant ties to San Francisco. Exceptions to San Francisco residency must be limited to no more than five individuals annually, with preference given to those who previously resided in San Francisco. Such exceptions must be approved by the Commission Chair, after being suggested by one or more of the assigned Commissioners serving as committee chair or co-chairs.

There may be up to 15 potential seats on the EAC, as determined by the Commission Chair.

The EAC meets on a quarterly basis, according to a schedule recommended by Committee Members, in consultation with Commission staff, and approved by the Commissioner(s) serving on the EAC.

D. Other Committees

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

Article VII – Attendance

Section 1: Attendance Requirements

Each Commissioner is expected to attend a minimum of 90% of all Commission meetings each calendar year. Commission Secretary shall maintain a record of members' attendance and shall notify the appointing authority when a member has three (3) absences within a fiscal year.

Section 2: Report to the Appointing Authority

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

Section 3: Annual Attendance Report

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

Article VIII – Director of the Commission

Section 1. Appointment

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

Section 2. Removal

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

435 Section 3. Grants and Contracts Approval

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

440