Colorado Legislative Branch Policy on Services for Persons with Disabilities, Including Grievance Resolution Procedures

Updated December 5, 2019

1. PURPOSE

It is the policy of the Colorado General Assembly that the official legislative proceedings of the legislative branch of Colorado state government be accessible to and usable by every person.

The legislative branch of Colorado state government consists of the state House of Representatives and its staff, the state Senate and its staff, and the Colorado General Assembly's staff agencies: The Legislative Council Staff; the Office of Legislative Legal Services, including the Office of Legislative Workplace Relations; the Joint Budget Committee Staff; and the Office of the State Auditor.

Pursuant to the Colorado Constitution, regular legislative sessions run annually for 120 consecutive calendar days beginning no later than the second Wednesday in January to early May, and special sessions may be convened at other times. Information on bills may be obtained on the Colorado General Assembly's website https://www.leg.colorado.gov or by calling 303-866-3521.

At times during the legislative session, the scheduling of floor debate in the House of Representatives and Senate and committee hearings may occur on very short notice and at times may be subject to cancellation and rescheduling. In these situations, public notice is provided as far in advance as possible.

2. ADA COORDINATOR

The Americans with Disabilities Act (ADA) Coordinator for the legislative branch of Colorado state government is the Office of Legislative Workplace Relations. Requests for accommodation services must be made to the ADA Coordinator, who will then coordinate with the appropriate legislative staff.

The ADA Coordinator may be contacted at:

ADA Coordinator
State Capitol Bldg, Room 0102

200 East Colfax Avenue
Denver, CO 80203-1784
303-866-2145
OLWR.ga@state.co.us

3. AVAILABILITY OF SERVICES

The services for persons with disabilities outlined in this policy are only available for official legislative proceedings at which legislative action may be taken, such as committee hearings and floor debate for the House of Representatives or Senate. Services are not available for nonlegislative proceedings, such as individual or stakeholder meetings with legislators, town hall meetings, or meetings with legislative staff. With sufficient advance notice, services for persons with disabilities, as outlined in this policy, may be available for an individual meeting with a bill drafter with the Office of Legislative Legal Services or with a fiscal analyst with the Legislative Council Staff if the meeting is for the sole purpose of drafting proposed legislation or a fiscal note related to proposed legislation, and only if the meeting has been pre-authorized by the legislator who is sponsoring the proposed legislation.

A request for a particular service outlined in this policy must be made **at least two business days** before the time the service is needed. For example, a request for an interpreter for a Monday committee hearing must be made no later than 4:00 p.m. of the preceding Thursday; a request for communication access realtime translation (CART) services for floor debate on a Friday must be made no later than 4:00 p.m. on the preceding Wednesday. Because the Colorado General Assembly relies on outside vendors to provide these services, requests for services made with less notice may result in an inability to provide the service being requested. As noted in Section 4 of this policy, requests for braille translation of legislative materials typically require more than two business days.

After being contacted by the ADA Coordinator, the appropriate legislative staff will work cooperatively with a person making a request to provide a service under this policy that will most satisfactorily meet the requestor's needs, to the extent the service is available in the area and there is sufficient time within which to arrange for the service.

Advance notice will assist in ensuring the timeliness of a response to requests for services. Staff will do their best to accommodate a request for services on less notice than specified above, but the requestor should be aware that difficulties in scheduling certain services may be encountered in accommodating a request. Staff's ability to furnish services will depend on the request, the number of requests for services at any

given time, and the workload of public and private sources upon whom staff must depend for the provision of certain services.

4. TYPES OF SERVICES AVAILABLE

A person may arrange for any of the following types of services by contacting the ADA Coordinator:

Qualified Interpreters. A person requesting an interpreter shall specifically indicate the legislative purpose, the type of official legislative proceeding, and the date and time, if known, during which an interpreter will be required.

Assisted Listening Devices. Subject to availability, headphones and assisted listening devices using radio frequency (RF) to amplify sound for persons who are deaf or hard of hearing may be checked out at the time of a legislative proceeding from the sergeants-at-arms at the following locations:

- The hallways to the House of Representatives and the Senate committee hearing rooms;
- In the Old State Library, Room 271 of the State Capitol Building;
- In the Old Supreme Court Chambers of the State Capitol Building;
- At the doors of the Chambers of the House of Representatives and the Senate;
- In the sergeants-at-arms' anterooms adjacent to hearing rooms A and B in the Legislative Services Building (LSB); and
- In the Joint Budget Committee hearing room.

T-Coil technology and T-Coil neck loops are available in the Old Supreme Court Chambers of the State Capitol Building and the Joint Budge Committee Hearing Room.

Communication Access Realtime Translation (CART) Services. A person requesting CART services shall specifically indicate the legislative purpose, the type of official legislative proceeding, and the date and time, if known, during which CART services will be required.

Tactile Signing. A person requesting tactile signing services shall specifically indicate the legislative purpose, the type of official legislative proceeding, and the date and time, if known, during which tactile signing services will be required.

Boom Microphone Stands. If a person is unable to access the microphone on the witness table in a committee hearing room, a boom microphone stand is available from the sergeant-at-arms on duty.

Braille Translation of Legislative Materials. Legislative documents may be translated into braille upon request. A request for legislative materials in braille will be responded to more slowly than other formats specified above. Braille translation is provided by public and private braille translation facilities outside the legislature. Because of the time involved in translating and producing documents in braille, legislative agency staff will respond to each request on a case-by-case basis and communicate time frames directly with the person making the request for legislative material in braille so that arrangements can be made cooperatively between staff and the person requesting the material. Time frames for the translation of legislative material into braille may differ depending upon the complexity and length of the document requested, the number of requests at any given time for the services, and the workload of the sources upon whom staff must depend for translating and producing material in braille.

Legislative Video and Audio. Live and archived electronic audio and video recordings of legislative meetings, hearings, and other formal legislative proceedings are accessible on the Colorado General Assembly's website https://www.leg.colorado.gov.

5. GRIEVANCE RESOLUTION PROCEDURE

A. PURPOSE AND APPLICATION

In order to provide for the fair, speedy, and efficient resolution of grievances concerning public accommodations for a person with a disability in violation of the Americans with Disabilities Act of 1990, the legislative branch of Colorado state government has established the following grievance resolution procedure.

This grievance resolution procedure applies to all grievances concerning public accommodations for a person with a disability in violation of the Americans with Disabilities Act of 1990 in the conduct of any program, or the performance of any service or activity, provided by the legislative branch of Colorado state government, except those arising out of the employment setting and applications for employment.

The legislative branch consists of the state House of Representatives and its staff, the state Senate and its staff, and the Colorado General Assembly's staff agencies: The Legislative Council Staff; the Office of Legislative Legal Services, including the Office of Legislative Workplace Relations; the Joint Budget Committee Staff; and the Office of the State Auditor. All time periods set forth may be extended for good cause. The grievant may be assisted or represented by another person of the grievant's choosing throughout the process.

B. GRIEVANCE RESOLUTION PROCESS

A member of the public who alleges discrimination concerning the provision of public accommodations for a person with a disability may contact the ADA Coordinator to informally discuss or formally file a grievance. Upon receipt of a grievance, the ADA Coordinator shall assess the grievance and work with the grievant, another person of the grievant's choosing, or both to determine the most appropriate and effective way to resolve the grievance, including whether to proceed with a formal or informal resolution process.

If a grievant decides to file a formal grievance, the grievance must provide information concerning the alleged discrimination, including the name, address, and telephone number of the grievant and the location, date, and description of the problem. Reasonable accommodations, such as personal interviews or a recording of the grievance, are acceptable. The grievant, a person of the grievant's choosing, or both shall submit the grievance as soon as possible, but no later than 30 days after the alleged violation to the following:

ADA Coordinator
State Capitol Bldg, Room 0102
200 East Colfax Avenue
Denver, CO 80203-1784
Phone: 303-866-2145
OLWR.ga@state.co.us

Within 15 calendar days after receipt of the grievance, the ADA Coordinator shall commence an investigation of the circumstances involved and meet with the grievant, a person of the grievant's choosing, or both to discuss the grievance and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator shall respond in writing or, where appropriate, in a format accessible by the grievant. The response must explain the position of the legislative branch, including any findings of fact and conclusions regarding responsibility, and offer options for a resolution. The response must also inform the grievant of the right to appeal the ADA Coordinator's conclusions.

C. APPEAL

If the ADA Coordinator's response does not satisfactorily resolve the issue, the grievant, a person of the grievant's choosing, or both may appeal the ADA Coordinator's conclusion to the Executive Committee of the Legislative Council. An appeal must be made in writing and submitted to the staff of the Executive Committee

of the Legislative Council, Room 048 of the State Capitol Building, within 15 calendar days after the grievant's receipt of the ADA Coordinator's conclusion.

Within 15 calendar days after the Executive Committee's receipt of an appeal during a legislative session, or as soon as practicable during the interim, the Executive Committee, or its designee (other than the ADA Coordinator), shall meet with the grievant, a person of the grievant's choosing, or both to discuss the grievance and possible resolutions. Within 15 calendar days after that meeting during a legislative session, or as soon as practicable during the interim, the Executive Committee, or its designee, shall respond in writing and, where appropriate, in a format accessible by the grievant with a final resolution of the grievance.

D. RECORD KEEPING

The ADA Coordinator shall keep all grievances, responses to grievances, appeals, and responses to appeals in the ADA Coordinator's office for three years.