

Legislative Branch Policy on Services for the Disabled to Provide Access to Programs, Services and Activities of the Colorado General Assembly

(Updated January 29, 2003)

PURPOSE

It is the policy of the Colorado General Assembly that the programs, services, and activities of the legislative branch of Colorado state government be readily accessible to and usable by each person.

The legislative branch of Colorado state government consists of the state House of Representatives, the state Senate, and their staff agencies, the Legislative Council staff, the Office of Legislative Legal Services, the Joint Budget Committee staff, and the State Auditor's Office. Pursuant to the Colorado Constitution, regular legislative sessions run annually for 120 calendar days from the second Wednesday in January to early May, and special sessions may be convened at other times. Information on bills can be obtained by calling 303-866-3055 or by TDD phone, at 303-866-3472.

At times during legislative sessions, the scheduling of floor debate in the House and Senate and committee meetings may occur on very short notice, and such meeting times may be subject to cancellation and rescheduling. In these situations, public notice is provided as far in advance of meetings as possible. The purpose of this policy is to implement the duty of the Colorado General Assembly to conduct legislative programs, services, and activities which are readily accessible to and usable by persons with disabilities.

COORDINATION OF SERVICES AVAILABLE

The Americans with Disabilities Act (ADA) Coordinator for the legislative branch of Colorado state government is the manager of Support Services, Legislative Council Staff who may be contacted at 303-866-3521 or in person at the Legislative Council Staff offices in Room 029 of the State Capitol Building. Office hours are 8:00 a.m. until 5:00 p.m., Monday through Friday. A message may be left on a voice mail system after office hours.

The Legislative Council Staff will coordinate services available to the disabled pursuant to this policy. Persons desiring to make use of services available pursuant to this policy should contact the Legislative Council Staff in room 029 of the State Capitol Building or at 303-866-3521. A hearing impaired person may contact the Legislative Council Staff by TDD phone at 303-866-3472 or via Relay Colorado (TTY) at 1-800-659-3656. At the Capitol, public TDD phones are located in room 048 on the ground floor and in room 127 on the first floor. Pay telephones designed to accommodate a portable TDD device are located in the hallway outside Room 271 on the second floor. At the Legislative Services Building, a pay telephone designed to accommodate a portable TDD device is also located in the hallway outside the Joint Budget Committee hearing room on the third floor.

SERVICES TO BE PROVIDED

For the Hearing Impaired

Qualified Interpreters. The Legislative Council Staff will make available the services of a qualified interpreter upon request. Requests for a qualified interpreter should be made to Stephanie Smith, Legislative Council Staff, at 303-866-3521 or by emailing her at stephanie.smith@state.co.us. Requests should be made at least 24 hours in advance of the time when an interpreter will be required. For Monday meetings, requests should be made as early as possible on the Friday before the meeting. Any person requesting an interpreter shall specifically indicate the time period for which an interpreter will be required, the type of interpreter required (e.g., oral or sign-language), and for what activity of the General Assembly. Legislative Council Staff will use its best efforts to accommodate a request for an interpreter on less notice than specified above, but persons should be aware that difficulties in scheduling may be encountered in accommodating those requests.

Meeting Notes. Upon request, legislative staff will be made available to take meeting notes for hearing impaired persons. Requests should be made at least 24 hours in advance of the time when a note taker is required so that proper scheduling and staff availability arrangements may be considered. Legislative meetings are recorded on audio tape, but written transcripts of meetings are not available.

For the Sight Impaired

General Guidelines. Assistance for the sight impaired will be provided in a format which will most effectively communicate legislative information to the person making a request. Factors which will be taken into account in determining the most effective manner of communication will include, but not be limited to, the format in which the person making the request desires to receive the information, the time available for communicating the information in light of developments in the legislative process, the technical capability of the available equipment to process the request, and the availability of staff to convey the information effectively. Staff will endeavor to reach a cooperative decision satisfactory to both staff and the sight-impaired person.

Advance notice will assist in ensuring the timeliness of responses to requests for services for the sight-impaired. The ability to furnish these services will depend on the complexity and length of the document requested, the number of requests at any given time for such services, and the work-load of public and private sources upon whom staff will be dependent for certain services to the sight-impaired, such as translating and producing material in braille.

Large-print Documents. Large-print documents will be provided upon request. Staff will respond to such requests as soon as possible, and in most cases no later than 24 hours after the request.

Readers. Staff members will be available to read legislative materials to persons upon request. Staff will respond to such requests as soon as possible depending upon the availability of persons to read material.

Audio Recordings. Audio recordings of legislative materials will be made available to persons upon request. Staff will record requested material onto a cassette tape which will be made available. Requests will be responded to as soon as possible depending upon demand, and in most cases no later than 24 hours after such a request.

Material on Computer Diskettes. Computer diskettes containing legislative materials will be made available upon request. Requests will be responded to as quickly as possible, and in most cases no later than 24 hours after a request.

Braille Translation of Legislative Materials. Legislative documents may be translated into braille upon request. Such requests will be responded to as soon as possible, although provision of materials in Braille format is likely to be slower than other formats specified above. Braille translation will be provided by public and private braille translation facilities outside the legislature. Because of the time involved in translating and producing documents in braille, staff will deal with each request on a case-by-case basis and communicate time frames directly with persons making requests for legislative material in braille so that arrangements can be made cooperatively between staff and persons requesting such 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 such services, and the workload of public and private sources upon whom staff will be dependent for translating and producing material in braille.

For Other Impairments

Meeting Notes. Staff members will be available to take meeting notes for persons upon request. Requests should be made at least 24 hours in advance of the time when a note taker is required so that proper scheduling and staff availability arrangements may be considered. Requests on less than 24 hours' notice will be responded to as soon as possible. Legislative meetings are recorded on audio tape, but written transcripts of meetings are not available.

Material on Computer Diskettes. Computer diskettes containing legislative materials will be made available upon request. Requests will be responded to as quickly as possible, and in most cases no later than 24 hours after a request.

For Persons with Multiple Disabilities

It is recognized that a person may have multiple disabilities. Staff will endeavor to provide available services depending upon the specific needs of the disabled person and the services authorized by this policy.

****Special Note Regarding Confidentiality of Certain Documents**

Certain legislative documents, such as bills, amendments, and Joint Budget and Audit Committee Reports, are confidential until they are introduced in the legislative process or released by a member of the General Assembly or in a public meeting. Staff will explain when a document is not available for public release. A person may request information prior to its public availability. Staff will endeavor to make the information available in a form authorized by this policy and acceptable to a disabled person once the information is publicly available.

Grievance Procedure The General Assembly has a grievance procedure for resolving any dispute related to services provided pursuant to this policy. Copies of the complete grievance procedure may be obtained from the Legislative Council Staff. Any grievance should be directed to the ADA Coordinator for the legislative branch, who may be contacted as indicated above under "Coordination of Services Available".

**PROCEDURE FOR COMPLAINTS BY THE PUBLIC
ALLEGING DISCRIMINATION ON THE BASIS OF DISABILITY
IN THE PROVISION OF SERVICES AND PROGRAMS
AT THE COLORADO STATE CAPITOL AND
THE LEGISLATIVE SERVICES BUILDING**

Purpose: In order to provide for the fair, speedy, and efficient resolution of complaints by members of the public that allege discrimination on the basis of disability in violation of the Americans With Disabilities Act of 1990, the Legislative Branch of Colorado State Government has established the following grievance procedure.

APPLICATION

This grievance procedure applies to all complaints alleging discrimination on the basis of disability in violation of the Americans With Disabilities Act 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, the state Senate, and their staff agencies: the Legislative Council staff, the Office of Legislative Legal Services, the Joint Budget Committee staff, and the State Auditor's Office. All time periods set forth may be extended for good cause. The grievant may be assisted or represented by another of his or her choosing throughout the process.

INFORMAL RESOLUTION

In order to resolve as quickly and efficiently as possible any complaints alleging discrimination on the basis of disability, it is recommended that the grievant initially contact the supervisor responsible for the particular service or program concerned to explain the perceived problem and propose solutions. If the supervisor is unable to resolve the complaint, the supervisor shall refer the grievant to the agency director. The supervisor shall explain the situation to his or her agency head.

For purposes of processing a grievance under this policy which does not involve the conduct of a member of the General Assembly, the agency head of the Senate is the Secretary of the Senate, and the agency head of the House of Representatives is the Chief Clerk of the House. The Legislative Council staff, Office of Legislative Legal Services, and Joint Budget Committee staff are headed by directors. The State Auditor is head of the State Auditor's Office.

FILING A WRITTEN COMPLAINT

If the grievant does not wish to use the method of resolution described in the previous step, or if the informal discussion does not resolve the matter to the grievant's satisfaction, or if the grievance involves the conduct of a member of the General Assembly, the grievant may submit a written complaint to the ADA Coordinator for the Legislative Branch.

The complaint should contain information concerning the alleged discrimination including the name, address, and phone number of the grievant and location, date, and description of the problem. Reasonable accommodations, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities who are unable to submit a written complaint.

The complaint should be submitted by the grievant or the grievant's designee as soon as possible but no later than 30 days after the alleged violation to the following:

ADA Coordinator
State Capitol Bldg, Room 029
200 East Colfax Avenue
Denver CO 80203-1784
Phone: 303-866-3521

Within 15 calendar days after receipt of the complaint, the ADA Coordinator will conduct an investigation of the circumstances involved and meet with the grievant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator will respond in writing or, where appropriate, in a format accessible to the grievant. The response will explain the position of the Legislative Branch, including any findings of fact and conclusions regarding responsibility, and offer options for a resolution of the complaint. The Response will also inform the grievant of his or her right to appeal this decision.

APPEAL

If the response of the ADA Coordinator does not satisfactorily resolve the issue, the grievant and/or the grievant's designee may appeal the decision. Such an appeal shall be made in writing or by other methods as described above to the Executive Committee of the Legislative Council, Room 029, State Capitol, within 15 calendar days after receipt of the response.

Within 15 calendar days after receipt of the appeal, the executive committee or its designee (other than the ADA Coordinator) will meet with the grievant to discuss the complaint and possible resolutions. Within 15 calendar days after that meeting, the executive committee or its designee will respond in writing and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

RECORD KEEPING

All complaints received by the ADA Coordinator, appeals to the executive committee or its designee, and responses from the ADA Coordinator and the executive committee or its designee will be kept in the offices of the Legislative Council for three years.