

Legislative Branch Policy on Services for Persons with Disabilities to Provide Access to Official Legislative Proceedings of the Colorado General Assembly

(Updated September 2016)

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, the state Senate, and the General Assembly's staff agencies: the Legislative Council Staff, the Office of Legislative Legal Services, 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 or by calling 303-866-3521.

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 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 proceedings that are accessible to and usable by persons with disabilities.

2. COORDINATION OF SERVICES AVAILABLE

The Americans with Disabilities Act (ADA) Coordinator for the legislative branch of Colorado state government is the Legislative Council Staff. The Legislative Council Staff coordinates services for persons with disabilities and they may be contacted electronically by email at LCS.GA@state.co.us, by calling 303-866-3521, or in person at the Legislative Council Staff office in room 029 of the State Capitol Building. The Legislative Council Staff office is open Monday through Friday, except holidays. A message may be left on a voice mail system when the office is closed. A person who is deaf or hard of hearing may contact the Legislative Council Staff via Relay Colorado (TTY) at 1-800-659-3656.

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 meetings and House or Senate floor debate. Services are not available for non-legislative proceedings such as individual or stakeholder meetings with legislators, town hall meetings, or meetings with legislative staff.

Except as otherwise noted, 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 meeting must be made no later than 4:00 p.m. of the preceding Thursday; a request for communication access real-time 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 Legislative Council Staff relies on outside vendors to provide these services, requests for services made with less notice may result in the Legislative Council Staff's inability to provide the service being requested.

3. SERVICES AVAILABLE FOR PERSONS WITH DISABILITIES

The Legislative Council 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.

As stated under the "Coordination of Services Available", advance notice will assist in ensuring the timeliness of staff's response to requests for services. Staff will use their best efforts 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.

The following are the types of services that a person with disabilities may request under this policy:

Qualified Interpreters. Upon request, the Legislative Council Staff will arrange for the services of a qualified interpreter. An individual seeking the services of a qualified interpreter shall submit the request to the Legislative Council Staff electronically email at LCS.GA@state.co.us, by calling 303-866-3521, or by visiting the Legislative Council Staff office in room 029 of the State Capitol Building. Any person requesting an interpreter shall specifically indicate the time during which an interpreter will be

required and the type of official legislative proceeding of the General Assembly for which the service is being requested. Legislative Council Staff will use its best efforts to accommodate a request for an interpreter on less notice than specified above, but the requestor should be aware that difficulties in scheduling a qualified interpreter may be encountered in accommodating a request.

Assisted Listening Devices. Subject to availability, 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 sergeants' desks located in the Senate committee hearing room hallway, in Room 271 of the State Capitol Building, at the door of the House of Representatives and the Senate chambers, and in the sergeants' anterooms adjacent to hearing rooms A and B in the Legislative Services Building (LSB). Headphones are also available.

An individual seeking an assisted listening device for a House committee hearing room or the Old Supreme Court should contact the sergeants in the House committee hearing rooms hallway or the sergeant outside the Old Supreme Court Chamber, respectively, who will, in turn, arrange for the delivery of an assisted listening device. An individual seeking an assisted listening device for the Joint Budget Committee Hearing Room in the LSB should contact the Legislative Council Staff office directly and the Legislative Council Staff will arrange for the delivery of the device. Headphones are also available.

Communication Access Real-Time Translation Services. Upon request, the Legislative Council Staff will arrange for communication access real-time translation (CART) services. An individual seeking CART services shall submit the request to the Legislative Council Staff electronically email at LCS.GA@state.co.us, by calling 303-866-3521, or by visiting the Legislative Council Staff Office in room 029 of the State Capitol Building.

Legislative Video and Audio. Live and archived electronic audio recordings of legislative meetings, hearings, and other formal legislative proceedings are accessible on the Colorado General Assembly's website. Live and archived electronic video recordings of formal legislative proceedings in the House and Senate chambers are also accessible on the Colorado General Assembly's website.

Braille Translation of Legislative Materials. Legislative documents may be translated into braille upon request. Legislative Council staff will respond to a request for legislative materials in braille as quickly as possible, although provision of materials in braille format is likely to be slower 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, 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 public and private sources upon whom staff must depend for translating and producing material in braille.

Boom Microphones. If a person is unable to access the microphone on the witness table in a committee hearing room or in the Old Supreme Court, boom microphones are available to accommodate the witness. The person seeking to testify should request assistance from the sergeant on duty.

Tactile Signing. Upon request, the Legislative Council Staff will arrange for the services of a tactile signing interpreter. An individual seeking a tactile signing interpreter shall submit the request to the Legislative Council Staff electronically email at LCS.GA@state.co.us, by calling 303-866-3521, or by visiting the Legislative Council Staff Office in room 029 of the State Capitol Building.

4. GRIEVANCE PROCEDURE

The General Assembly has a grievance procedure for resolving any dispute related to services provided pursuant to this policy. A copy of the complete grievance procedure may be obtained from the Legislative Council Staff and is also available on the General Assembly's website. Grievances must 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

1. 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.

2. APPLICATION

This grievance procedure applies to all complaints alleging discrimination on the basis of 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, the state Senate, and the General Assembly's staff agencies: the Legislative Council staff, the Office of Legislative Legal Services, 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 of his or her choosing throughout the process.

3. INFORMAL RESOLUTION

In order to resolve a grievance alleging discrimination on the basis of disability as quickly and efficiently as possible, it is recommended that the grievant initially contact the supervisor in the legislative agency responsible for the particular service or program at issue to explain the problem and propose solutions. If the supervisor is unable to resolve the problem, he or she shall refer the grievant to the head of the legislative agency. The supervisor shall explain the situation to the head of the legislative agency.

For purposes of processing a grievance under this policy that does not involve the conduct of a member of the General Assembly, the legislative agency head of the Senate is the Secretary of the Senate, and the legislative 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 the head of the Office of the State Auditor.

4. 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 written complaint must contain 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 complaint, are acceptable from persons with disabilities who are unable to submit a written complaint. The grievant or the grievant's designee shall submit the written complaint 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 written complaint, the ADA Coordinator shall commence an investigation of the circumstances involved and meet with the grievant and/or the grievant's designee to discuss the complaint 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 of the complaint. The response must also inform the grievant of his or her right to appeal the conclusions of the ADA Coordinator.

5. 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 conclusion of the ADA Coordinator to the Executive Committee of the Legislative Council. An appeal must 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 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, the grievant's designee, or both to discuss the complaint 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 complaint.

6. RECORD KEEPING

The Legislative Council Staff shall keep all complaints, responses to complaints, appeals, and responses to appeals in the office of the Legislative Council for three years.