

ADA Complaint Process



Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 Complaint Process Regarding a City of Fort Collins, Transfort, or Dial-A-Ride Facility, Service, Program, or Activity

This Complaint Process is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA") and Section 504 of the Rehabilitation Act of 1973. It may be used by anyone who wishes to file a complaint alleging discrimination based on disability in the provision of facilities, services, activities, programs, or benefits by the City of Fort Collins (the "City"). The City's Personnel Policy governs employment-related complaints of disability discrimination.

A complaint regarding the provision of facilities, services, activities, programs, or benefits by the City should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint must be submitted by the complainant and/or his/her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

ADA Coordinator

Jeni Kohles

300 Laporte Ave, Fort Collins, CO 80521

970-416-4254

adacoordinator@fcgov.com

Within thirty (30) calendar days after receipt of the complaint, the City's ADA Coordinator, or her/his designee, will meet with the complainant to discuss the complaint and the possible resolutions. Within forty-five (45) calendar days of the meeting, the City's ADA Coordinator, or her/his designee, will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Fort Collins, Transfort, Dial-A-Ride, and offer options for substantive resolution of the complaint.

If the response by the City's ADA Coordinator, or his/her designee, does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within thirty (30) calendar days after receipt of the response to the City Manager or his/her designee.

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Within thirty (30) calendar days after receipt of the appeal, the City Manager, or his/her designee, will designate a third party (not a City employee) to act as appeal officer (the "Appeal Officer"). The Appeal Officer shall attempt to meet with the complainant to discuss the complaint and possible resolution. The Appeal Officer will be an attorney or someone who is well-versed in disability law rules and regulations. Within forty-five (45) calendar days after the meeting, the City Manager, or his/her designee, will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

The City's ADA Coordinator and the City Manager or his designee may extend the deadlines noted herein for cause and with notification to the complainant.

Complaint forms submitted to the City are open to inspection pursuant to the Colorado Open Records Act, Colorado Revised Statutes §24-72-101, et. seq. It will likely be necessary to share some or all information, including the identity of the person filing the complaint, in order to resolve the complaint or as required by law. Investigation of an ADA complaint will likely include discussion of the allegations of the complaint with those employees or others who may have been involved with the alleged discriminatory act or decision.

All written complaints received by Transfort/Dial-A-Ride and/or the City's ADA Coordinator, appeals to the City Manager or his designee, and responses from these two offices will be retained by the City of Fort Collins for at least three years. Additionally, a summary of all written complaints received will be retained for at least five years.

For information about filing a complaint regarding a **non-City entity** that has discriminated on the basis of disability, please visit the Colorado Civil Rights Division website at this address: <http://www.colorado.gov/cs/Satellite/DORA-DCR/CBON/DORA/1251629362218>.