



# City of Boulder Housing & Human Services

## ADA & Section 504 Non-Discrimination Notice

Policy of Nondiscrimination on the Basis of Disability The City of Boulder does not discriminate on the basis of disability in the admission or access to, or employment in, its federally assisted programs or activities. The City Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's (HUD) regulations implementing [Section 504 \(24 CFR Part 8\)](#).

### **SECTION 504:**

Section 504 of the Rehabilitation Act of 1973 is a federal law, codified at 29 U.S.C. § 794, that prohibits discrimination on the basis of disability in federally-assisted programs or activities. Specifically, Section 504 states: No otherwise qualified individual with a disability in the United States. . .shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, service or activity receiving federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. This means that Section 504 prohibits discrimination on the basis of disability in any program or activity that receives financial assistance from any federal agency, including HUD as well as in programs conducted by federal agencies including HUD.

### **The Americans with Disabilities Act ADA**

Passed in 1990, the ADA is a federal civil rights law that prohibits discrimination against people with disabilities on the basis of disability. The ADA defines a disability as a physical or mental impairment that substantially limits the individual in one or more of the activities of daily living such as: working, walking, listening, seeing, or the limitation of self-care. The law also prohibits discrimination against individuals with a history of such impairment, such as cancer patients in remission and those considered by others to have a limitation, such as individuals with severe facial scars.

### **Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 Complaint Process Regarding a City of Boulder, Housing and Human Services, 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 on the basis of disability in the provision of facilities, services, activities, programs, or benefits by the City of Boulder, Housing and Human Services (HHS). The City of Boulder's Personnel Policy governs employment-related complaints of disability discrimination.



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A complaint regarding the provision of facilities, services, activities, programs or benefits by the HHS 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 sixty (60) calendar days after the alleged violation to:

Complaints may be submitted to:

ADA Coordinator  
Barb Baca, Housing Project Manager  
City of Boulder, Housing and Human Services  
P.O. Box 791 Boulder, CO 80306

Or send the form by email to [bacab@bouldercolorado.gov](mailto:bacab@bouldercolorado.gov).

Within thirty (30) calendar days after receipt of the complaint, the HHS ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within forty-five (45) calendar days of the meeting, the HHS ADA Coordinator or his/her 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 HHS and offer options for substantive resolution of the complaint.

If the response by the HHS 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.

Within thirty (30) calendar days after receipt of the appeal, the City Manager 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 or his/her designee and the City Manager or his/her designee may extend the deadlines noted herein for cause and with notification to the complainant.

All written complaints received by the City's ADA Coordinator or his/her designee, appeals to the City Manager or his designee, and responses from these two offices will be retained by the DOH for at least three years.

For more information about filing a complaint that a non-City entity 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>.