Roberts Wesleyan College & Northeastern Seminary Students with Disabilities Policy and Procedure Handbook

> Roberts Wesleyan College The Learning Center B. Thomas Golisano Library Room 136 2301 Westside Drive Rochester, NY 14624 585.594.6270

Welcome!

Dear Student:

Welcome to Roberts Wesleyan College / Northeastern Seminary and the Learning Center! Our mission is to work with and empower students who have disabilities in order to coordinate support services and programs that enable equal access to an education and college life. On behalf of the Learning Center staff, we look forward to working with you during your academic career at Roberts. Please use this handbook as an important resource for accessing services and accommodations. In order to provide the best program possible, we periodically change our policies, procedures, and services. The Learning Center website (<u>http://www.roberts.edu/student-experience/learning-center.aspx</u>) will always offer the most current handbook available since we update the website as changes are made.

Best wishes in your academic career at RWC!

Bhonda Lanni

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Purpose of the Handbook

Only through early planning can you select a school that will meet your needs and ensure a smooth transition from high school to college or graduate school. This Handbook will inform you of services, policies and procedures available at Roberts Wesleyan College (RWC) and The Learning Center (TLC). This Handbook does not replace the information available in the RWC Student Handbook (<u>http://www.roberts.edu/LifeAtRoberts/ResidentLife/StudentHandbook</u> or the RWC website (<u>www.roberts.edu</u>).

Please contact <u>*The Learning Center*</u> if you wish to be identified as a student with a disability. Specifically, the Coordinator of Services for Students with Disabilities, Rhonda Lanni, functions on behalf of the student with a disability and Roberts Wesleyan College. She is responsible for ensuring that students with disabilities are served under disability law. She is available M-F from 8-4pm at 585.594.6270 or <u>Willgens_annette@Roberts.edu</u>

Coordination of services for students with disabilities is available for RWC students, prospective students, or qualified applicants for admission. Parents are a welcome addition to the process of meeting with the Coordinator and assisting in the process of setting up accommodations. You may not have all the accommodations listed in this Handbook.

RWC Services for Students with Disabilities:

- Are free of charge to students with documented disabilities
- Assists students in negotiating disability related barriers in relation to their education
- Strives to improve access to RWC programs, activities, and facilities for students with disabilities
- Promotes increased awareness of disability issues on campus
- Promotes ADA rights related to uses of auxiliary aides necessary for student access and removal of barriers according to the Americans with Disabilities Act of 1990, including amendments (2008), and the Rehabilitation Act of 1973, section 504.

The decision to use our services is a matter of individual choice. Students achieve a higher level of academic success when they demonstrate initiative and assertiveness, begin preparing for college or graduate school early, and are aware of their strengths and weaknesses in the learning environment. RWC wants you to be successful. It is *your responsibility* to become informed about and to make use of the resources that are available.

The Coordinator and Learning Center staff are here to help you. Please feel free to stop by the office in the Golisano Library, room 136, or e-mail us (<u>willgens_annette@roberts.edu</u>) with any concern or difficulty, before it becomes problematic. We would like to make sure that you have the tools you need to make your academic experience a success.

The Law for Students with Disabilities

Two Federal Laws apply to postsecondary education for students with disabilities. <u>It is the</u> responsibility of all staff, faculty, and students to adhere to the philosophy of equal access to opportunity as described in these laws:

The Americans with Disabilities Amendment Act of 2008 states:

No <u>qualified individual with a disability</u> shall, by reason of such <u>disability</u>, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such (public) entity.

Definition: Qualified individual with a disability

The term "qualified individual with a disability" means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

Definition: The term "disability" means, with respect to an individual

(A) a physical or mental impairment that substantially limits one or more major life activities of such individual;

(B) a record of such an impairment;

(C) being regarded as having such an impairment

The phrase regarded as having an impairment means-

- Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a public entity as constituting such a limitation;
- Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
- is treated by a public entity as having such an impairment

The phrase physical or mental impairment means-

- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine;
- Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- The phrase *physical or mental impairment* includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness.

The term *disability* does *not* include—

- Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;
- Compulsive gambling, kleptomania, or pyromania; or
- Psychoactive substance use disorders resulting from current illegal use of drugs.

Major Life Activities

Major life activities include, *but are not limited to*, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major Bodily Functions

A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Substantially limits means:

- To be substantially limited in performing a major life activity under the ADA an individual must have an impairment that prevents or severely restricts the individual from doing activities that are *of central importance to most people's daily lives*.
- An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.
- An impairment that is episodic or is in remission is a disability *if it would substantially limit a major life activity when active.*

The following table provides examples of some disabilities and how they relate to the operation of a major bodily function as defined by the law.

<i>Examples of disabilities include, but are not limited to:</i> Conditions such as:	Chronic illnesses such as:	The Operation of a major bodily function such as
blindness/visual impairment Cerebral Palsy Deafness/hearing impairment Epilepsy or seizure disorder orthopedic/mobility impairment specific learning disability speech and language disorder spinal cord injury Tourette's syndrome traumatic brain injury	AIDS Chronic asthma cancer cardiac disease diabetes Multiple Sclerosis Muscular Dystrophy Bi-Polar Disorder Major Depression Post-Traumatic Stress Disorder Obsessive Compulsive Disorder (OCD) or other mental health, psychiatric d/o	functions of the immune system normal cell growth digestive bowel bladder neurological brain respiratory circulatory endocrine reproductive functions

<u>Direct threat</u>: Direct threat means an imminent, significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services.

Explanation: In determining whether an individual poses a direct threat to the health or safety of others, a public accommodation must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: The nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

<u>Standards for Disciplining a Student with a Disability</u> are based on the RWC conduct code. To consider, (1) the student with a disability may not be subject to a higher conduct standard than other students; (2) the student with a disability cannot comply with the conduct code if the failure of the college to comply with the accommodations results in the student's misconduct; (3) RWC must take into account, mitigating factors such as the loss of a parent.

Examinations and courses: Any request for documentation, if such documentation is required, is reasonable and limited to the need for the modification, accommodation, or auxiliary aid or service requested.

Explanation: When considering requests for modifications, accommodations, or auxiliary aids or services, RWC gives considerable weight to documentation of past modifications, accommodations, or auxiliary aids or services received in similar testing situations, as well as such modifications, accommodations, or related aids and services provided in response to an Individualized Education Program (IEP) provided under the Individuals with Disabilities Education Act or a plan describing services provided pursuant to Section 504 of the Rehabilitation Act of 1973, as amended (often referred to as a Section 504 Plan). RWC responds in a timely manner to requests for modifications, accommodations, or aids to ensure equal opportunity for individuals with disabilities.

The Rehabilitation Act of 1973 and Section 504 subpart E states:

No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Please see the entire law at: <u>http://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html</u>

Which do we accommodate: the person or the disability?

Answer: The person and the current IMPACT of the disability on that person. The following are common academic adjustments by disability, and accommodations or 'auxiliary aids':

The following chart describes some common applications of universal design for instruction and accommodations that are typically employed:

To improve VISUAL learning

- ♦ Use of slides, charts, diagrams, and illustrations to reinforce learning
- Use of color coding to organize notes, note cards and textbook underlining
- Writing questions in margins of textbook
- Converting notes to charts and matrix format
- ♦ Use a calculator for
- computations
- Use of graphic paper for math computations
- To improve AUDITORY learning
- ♦ One-to-one tutoring
 - Brainstorm ideas for writing into a tape recorder

Participate in study group

♦ Tape record notes

- Copy of instructor's powerpoint or notes
- Use of computer software and spell checker
- Watch videos, etc. more than once
- ♦ Extra time on tests
- Enlargement of print materials
- to make print easier to read
- ♦ Use of a calculator
- ♦ Use of a note taker
- ◆ Tape recording classes
- ♦ Tests read or recorded
- Use of textbooks in alternate format
- Use of voice input for computer
- Use of computer with voice output
- Extra time for tests
- ♦ Alternate test location

• Using an assisted listening device such as an FM amplification system

To improve TACTILE learning

- ♦ Recopy class notes
- Convert notes to study or flash cards
- Use of models for studying
- Additional time for lab classes and study
- ♦ Study or lab partner

- ♦ Assigned lab partner
- Tests and assignments in electronic format



Students with Disabilities:

General Information (Please see Appendix C)

The *admissions* office considers the applicant with a disability in the same manner as any other applicant. Taking the ACT, SAT, or other exams under accommodated conditions will not negatively impact the admissions decision.

Liaison with other Agencies: the student with a disability is advised to work with the New York State Education Department, as they may assist with *funding for auxiliary aides, such as interpreters,* purchasing textbooks, and providing funding for transportation, while you are a student at RWC.

Vocational and Educational Services for Individuals with Disabilities (ACCESS-VR) Contact Information

- i. 109 S. Union St. Rochester, NY 14607
- ii. http://www.vesid.nysed.gov/rochester/home.html
- iii. 585-238-2900

<u>Academic, or career counseling:</u> guidance and placement services shall be available in accessible settings without discrimination on the basis of disability. Qualified students with disabilities shall not be counseled or advised toward more restrictive career objectives than are non-disabled students with similar interests and abilities. This does not preclude providing factual information about licensing and certification requirements, which may present obstacles to persons with disabilities in their pursuit of particular careers.

It is recommended that you take the following steps when selecting courses in your major:

- iv. Ask to sit in on a class you plan to take the following semester
- v. Go to the bookstore and check the required reading that is listed for the classes you are considering
- vi. Speak with professors during office hours, request a syllabus, and discuss concerns such as writing assignments or testing style in advance of registering for the class
- vii. Plan your schedule, accounting for outside needs, such as work, childcare and transportation prior to registering

<u>Variability of Accommodations</u>: The need for and type of accommodations may vary, often due to the type of disability, or side effects of medications. Please maintain regular communication (at least once per semester) with the Coordinator so that adjustments can be made as necessary.

<u>Handicapped Parking</u>: Handicapped spaces are available for students who display their handicapped tag on their rearview mirror.

http://www.roberts.edu/LifeAtRoberts/ResidentLife/Security/CampusParking/Vehicle_regulation s.asp

Requesting Services

<u>Academic Accommodations</u> are determined on a case-by-case basis according to a student's documented need, guidelines suggested by state and federal legislation. The coordinator for students with disabilities requires documentation to verify the student's disability. As needed, the coordinator will discuss the student's requests for accommodations, and with permission from the student, consult with faculty and other departments regarding the request. A student seeking services from the Coordinator must obtain <u>documentation from a professional</u> who has first-hand knowledge of the student's condition, is experienced in diagnosing and treating college students, and is an impartial professional who is not related to the student.

As an admitted student of RWC, <u>you must meet with the Coordinator</u> to determine which accommodations you will need and learn about the opportunities and resources you as a student may utilize. This meeting typically occurs in mid-August prior to Fall Semester, and mid-January prior to Spring semester. <u>Accommodations must be renewed each semester</u>. **Please see Appendix G for a sample accommodation form.**

Unlike in high school, students with disabilities do not automatically receive services, nor are they sought out by the college or identified in any way. It is the student's responsibility to register in The Learning Center to receive accommodations. Similarly, accommodations are not retro-active. For example, <u>if you wait</u> to initiate the meeting with the Coordinator until October, your accommodations will not apply to your school work completed in the previous month.

<u>After meeting with the coordinator</u>, a legal accommodation form will be emailed to each of your professors, which lists the accommodations you are legally entitled to. A signed copy will be placed in a secure file, with your documentation and consent form. It is recommended that you meet with your professor during their office hours to inform them of your accommodations.

Please see Appendix B for Student Responsibilities.

While talking to professors, DO:

- ✓ State that you have a disability
- \checkmark Explain what you need to gain access to the class
- ✓ Engage professors in a problem solving process, if needed
- ✓ Be timely, calm and courteous
- ✓ Contact the Coordinator with any concerns before they become overwhelming

While talking to professors, DO NOT

- \checkmark Speak to them before or after class; rather, visit office hours
- ✓ Quote laws or dictate policy
- \checkmark Get angry, cry or threaten
- ✓ Make demands for large amounts of their time
- ✓ Request unreasonable adjustments to their course

<u>Alternative Format Course Materials</u> are for students with print related learning disabilities or visual impairments. The Coordinator is responsible ensuring that the student has all course texts and materials in the format that provides them equal access and barrier free learning.

<u>*E-text materials*</u>, downloaded and read to the user through <u>text-to-speech software</u>, are often helpful to the student. Textbooks in alternate format are available based on supporting documentation provided by the student. This is based on *Chapter 219 (from 1996)*, and more recently Chapter 194 (from 2010) which is the NYS law that requires publishers and manufacturers of instructional materials to share, with colleges, the responsibility for the timely provision of alternate format materials to students with print disabilities in the higher education setting. A Disability Services office can request textbooks in alternate format, generally e-text, directly from the publisher. Contact information can be found at the Publisher Lookup Service (<u>http://www.publisherlookup.org/</u>). The student must sign the Student Agreement Form requiring the student to abide with copyright laws regarding e-text files and other alternate format materials at: <u>http://www.emsc.nysed.gov/specialed/publications/persprep/chap219.htm</u>

Individual memberships are available free of charge to the student who becomes a member of either Bookshare.org or Learning Ally.org). The coordinator may provide supporting documentation if needed for these memberships. Please see Appendix F for additional information.

As soon as the student registers for their courses, a list of textbooks is provided. Requests made with less that 2 weeks' notice may not be ready for the first week of class.

<u>Volunteer Note-takers</u> are available to students with documented need. Note-takers are appointed by the professor in a confidential manner. If the student in your class who volunteers to take notes for you is absent, your professor will assist you in finding a substitute note-taker as needed, prior to class. Note-takers will write down relevant information, including pertinent information, test and quiz dates, assignments, and important vocabulary. Note-Takers will NOT assist the student in completing or understanding course content. The student is ultimately responsible for all course material covered in class. Sharing notes with others in class may result in termination of this service.

<u>Audio-Recorded Lectures</u> are common accommodations used by students with documented need. Some college professors may believe recording lectures is an infringement upon their own or other students' academic freedom, or constitutes copyright violation. However, the instructor *may not* forbid a student's use of an aid if that prohibition limits the student's participation in the program. Therefore, to audio-record a lecture, the student must notify the professor with a form provided by the Coordinator. The professor may elect to request that students turn off recording devices when sensitive content is shared; this can be requested by making a general statement to all class members.

As part of the legal accommodation form, it is the policy of RWC that the student will: inform the professor of their intent to record for academic purposes only, and that you will erase/delete these files when no longer needed. Both parties will sign the form and return it to The Learning Center.

<u>Access to Technology</u> RWC is committed to a proactive, intentional, barrier-free environment for technology that allows equal access for all students. Adaptive Technology Computing Sites are

Disabilities Handbook 1/2010; revised 3/2015 Portions borrowed with Permission by the New York State Disabilities Services Council Reviewed by: R. Lanni, ********* available in the B. Thomas Golisano Library, the Smith Science Center and Hastings Center for Academics. These centers have the Kurzweil software, with scanning and printing available during hours of operation. A student may gain instruction in how to use technology by requesting a meeting with the Coordinator. Requests will be granted within 3 business days. Please visit this website for details: <u>http://www.roberts.edu/its/Labs/Labs.aspx</u>

Additionally, RWC has a <u>Universal Design for Instruction Council</u> which develops and provides training regarding policies and procedures to address the amendments to the ADA and the adoption of 508 standards. The RWC Information Technology Website also has information regarding this Council. **Please see Appendix F for details regarding this policy.**

The Learning Center offers <u>writing assistance</u> and <u>peer tutoring</u> (individual and group) programs to meet the needs of <u>all undergraduate</u> students. Please visit this website for more information on The Learning Center and its many services. <u>http://www.roberts.edu/LifeAt</u> <u>Roberts/ResidentLife/LearningCenter/</u>

Students whose legal testing accommodations provide for <u>alternate locations, distraction free</u> <u>settings and extended time</u>, will be serviced in The Learning Center by a trained professional. It should be noted that all testing must occur between the hours of 8am and 4:30 pm, Monday through Friday.

Students with supporting documentation may use *private study rooms* with assistive technology related to their needs. These include: magnification software, kurzweil technology, screen reading (JAWS), Ginger software, and dictation software.

<u>Discrimination</u> is taken seriously at RWC. Both laws include provisions to ensure equal access to education, nondiscrimination and removal of barriers. Problems can occur in the form of harassment and/or lack of compliance with disability law. Compliance with state and federal disability laws include the Rehabilitation Act of 1973, including Section 504, subpart E; and, the American's with Disabilities Act of 1990 and its amendments. Students who believe that RWC may not be meeting these responsibilities or who believe that they have been harassed or discriminated against based on their disability may contact the coordinator for students with disabilities (willgens_annette@roberts.edu or 585-594-6270).

If you feel that you have been discriminated against and/or harassed, you may begin a grievance procedure as follows:

- Meet with the individual. Often, issues can be cleared up with a direct conversation.
- Meet with the Coordinator of Services for Students with Disabilities
- Explain/describe the grievance and formulate a letter of concern within 30 days
- Coordinator will meet with the Professor and Student to assist in the process of gaining understanding of the issue within 7 business days. The Program Director and/or Department Chair will be notified of the results of this meeting within 3 business days.
- If discrimination/harassment continues, the student has the right to contact the Office of Civil Rights and/or the Department of Justice at http://www2.ed.gov/about/offices/list/ocr/docs/howto.html

Resolving Alleged Discrimination/Harassment by Another Student:

• In situations where students allege discrimination by another student, students have the option of filing formal charges under the Code of Student Conduct. Please refer to the policy and procedures in the Student Handbook.

If a student has a grievance against the Coordinator, the student may:

- Meet with the Director of The Learning Center and/or the ADA Committee within 30 days
- Provide written notice of grievance and why alternatives should be granted within 10 days. Formal appeals include a written statement regarding the nature of the complaint, results of meetings with the Coordinator, and requested resolution. All formal written appeals will be promptly investigated and a decision will be rendered within a reasonable time of the date of receipt. The Coordinator is bound by FERPA to speak to only those people allowed by the student in writing.
- The RWC ADA committee will meet to provide the student with 'due process' in the form of an interview and discussion within 10 days; *during this time, the ADA committee will determine whether or not to grant the accommodation in question until resolution is achieved.*
- If no resolution can be reached, the student may contact the Office of Civil Rights and/or the Department of Justice (as above)
- This policy, as outlined above, is specific to students with disabilities. The RWC Student Handbook outlines a similar grievance procedure. However, due to the nature of disability law and the requirement that accommodations are provided in a timely manner, this policy supersedes all other grievance policies and procedures. Link to undergraduate catalogue: <u>http://www.roberts.edu/Academics/Catalog/catalog.aspx?id=952</u>

<u>Confidentiality, Consents, and Record Keeping</u> are provided as part of the Family Education Rights and Privacy Act (FERPA). Please visit the following website for details on FERPA, student rights and release of information. **Please see Appendix H for specific details.** <u>http://www.roberts.edu/Academics/Registration/FERPA/</u>

Similarly, "to the limits of the law", the Coordinator protects each student's right to privacy, except as permitted by the student expressly for providing support services for that student. Please note that the Coordinator will maintain a record of the student's disability information to document institutional responses to requests for accommodation.

<u>Course Substitution / Exemption Requests</u> are considered during a meeting with the Coordinator. The Coordinator collects pertinent information and then makes a recommendation based on program requirements of the major, consultation with the student's advisor, the registrar, and other necessary parties. The Coordinator formulates a letter which details the students needs based on their history, documentation, impact of disability in the academic setting and current needs. The letter is sent to the RWC Academic Guidance Committee for final review within 30 days. If denied by this committee, the student has the right to appeal the decision and additional paperwork may be required. The student also has the right to initiate a grievance process against the committee or the coordinator using the method outlined above (see grievance procedures).

Disabilities Handbook 1/2010; revised 3/2015 Portions borrowed with Permission by the New York State Disabilities Services Council Reviewed by: R. Lanni, ********* *<u>Full time versus Part time status</u>* The RWC registrar determines that a student is considered full time if s/he is taking 12 credit hours within a semester. Part time status occurs if a student is taking 11 credits or less per semester. This policy applies to all RWC students.

Learning Disabilities (LD), Attention Deficit Disorder (ADD) or (ADHD) and Traumatic Brain Injury (TBI)

Students with learning disabilities may access written information differently. **Please see Appendix E** for options regarding speech-to-text software.

Students seeking accommodations and support at RWC should mail, fax, or bring with them, an assessment that provides documentation regarding the need for accommodation. **Please see specific documentation requirements in Appendix A & B**. This documentation will be evaluated by the Coordinator for Students with Disabilities to determine whether it meets the criteria established by RWC and legal guidelines set forth by state and federal authorities.

<u>Please note that:</u> RWC does not accept Individualized Education Plans (IEP) as relevant documentation in the postsecondary setting, however, a comprehensive Summary of Performance (SOP) or Student Exit Summary (SES) form provides information on the functional impact of the disability and may assist the coordinator in determining impact of disability in the college setting. A diagnosis on professional letterhead is a standard practice requirement, in addition to educational testing as outlined in Appendix A. Most testing completed within 3-8 years is acceptable. There are exceptions. For example, if the documentation for LD is based on the WISC-R or WISC 4 and not on the WAIS, and was administered at age 12 or 13 (or younger) it is appropriate, and probably necessary, to recommend an update. Why? The WISC does not give you fluid reasoning or sequencing information that are often the basis for making decisions about accommodations such as course substitutions.

It is the responsibility of the student to obtain and pay for updated testing. The Coordinator can assist the student in locating appropriate testing centers.

Blindness / Visual Impairments

Students with a visual disability must plan their schedules well in advance of each semester to assure that support services, such as textbooks in alternative formats, e-text, special equipment, or readers have been arranged prior to the beginning of the semester. Students may wish to investigate the teaching styles of various faculty members to find those most compatible with their abilities. Once instructors have been chosen, students may elect to discuss with them the class room accommodations, teaching techniques, and testing procedures that have been most helpful to them in the past.

Students are expected to travel independently as they conduct their day to day activities. The Commission for the Blind may provide funding and resources for orientation to the RWC campus. Additionally, some students choose to receive orientation and mobility training (O & M), or employ a student during the first month on campus, to assist with negotiating the campus. RWC is not responsible to provide these services.

Service animals

Definition: Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. (Please Note the recent regulations expands this category to include miniature horses)

If particular obstacles to safe travel present themselves, please contact the Coordinator, or, if urgent, contact security at 585.594.6170 or http://www.roberts.edu/LifeAtRoberts/ResidentLife/Security/Services/

Alternative Format Course Material may be obtained by the Coordinator or Professor including: taped textbooks, e-text, large print, and Braille.

Technology available for students includes: e-text with screen enlargement software (JAWS), text to speech software (voice output), KURZWEIL, or refreshable Braille displays. Please note that e-text offers the most versatile options for users of alternate format.

It is the responsibility of the student to initiate the process of obtaining textbooks in alternative format at the time of registration (initial meeting with the Coordinator upon admission). Requests made with less than 2 weeks notice may not arrive in time for the start of the first class.

Reader's Aide funding is available by NYS, which may assist students with visual impairments. With this funding, student assistants may be hired to assist with readers or note takers and other related academic work. Career services may provide with names of individuals that want to assist in this manner.

Braille textbooks for college level courses are extremely difficult to find. E-text offers the best solution for this problem. If this is not acceptable to the blind student, a minimum of 3 months is needed to explore this option.

<u>*Qualified reader*</u>: that which is able to effectively, accurately, and impartially using any necessary specialized vocabulary, read to a student with a print disability.

Explanation: Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision.

Resources for students with visual impairments:

Commission for the Blind <u>http://www.ocfs.state.ny.us/main/cbvh/</u> (1-866-871-3000 or 585-238-8110)

Deafness/ Hard of Hearing

Reasonable accommodations are provided to RWC students with various hearing losses. Please provide the Coordinator with an audiogram so that your needs can be evaluated and appropriate supports can be established. These supports may include interpreters, accessible media, loan of specialized amplification equipment.

Sign Language Interpreters:

Guidelines for Securing Academic Interpreting Services

Interpreters are provided by the Coordinator for Students with Disabilities. RWC utilizes the professional services of Interpretek, Inc..

Requirements to Receive Services

Deaf and /or hearing impaired students must meet with the Coordinator each semester to obtain interpreter services as an accommodation. All students must sign the "statement of agreement" to confirm that they have read and understand the policies and procedures for accessing their accommodations. Alternate services may be considered for the deaf/hard of hearing students who are not proficient in sign language to keep pace with classroom lectures.

Requesting an Interpreter

Upon completion of registration, submit a copy of your class schedule to The Learning Center Office. It is important that you make your request for services as soon as possible, but no less than 21 days prior to the start of the semester. Changes to your schedule pose delays and added expense in scheduling interpreters. Requests made with less than 48 hours notice will not be honored.

All requests for interpreting services must be made through the Coordinator's Office. <u>Students</u> <u>may not obtain your own interpreters.</u>

Interpreting services will be provided for:

- Scheduled Classes
- Classroom required activities
- Student/Professor meetings
- Academic related activities
- Extracurricular activities
- Other, as requested

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Guidelines for Students Working With Interpreters

Do not ask interpreters for their help in your class. The Interpreter's job is to interpret what the professor and your class members say, and to voice your signing when appropriate. If you need help, ask the Professor, or obtain learning assistance (tutoring, writing assistance) through The Learning Center.

If you wish to speak with the professor after class, first ask the Interpreter if he/she can stay. If not, then make an appointment with the professor and request an interpreter from the Coordinator.

If you have a problem with your interpreter, please do not discuss it with other interpreters or students. Discuss the problem with your interpreter first. If the situation is not resolved, then bring it to the attention of the Coordinator. This way it will be kept confidential.

Plan ahead, if you are scheduled to make an oral presentation in class, it is important that you practice with the interpreter who will be voicing for you.

Before you make a change in your schedule (adding and/or dropping a class), you are required to notify the Coordinator's office in writing. Making changes to your class schedule may result in a delay in interpreting services.

If there is a need for additional interpreter services outside of the classroom, it is the student's responsibility to contact the Coordinator.

<u>Absences</u>

It is the student's responsibility to notify the Coordinator of absences no less than <u>48 hours</u> <u>before the services are scheduled if:</u>

- You plan to miss class
- You are canceling any other academic activity for which an interpreter was requested
- If you are sick and do not know when you will be well enough to return. In this case the Coordinator will cancel interpreting service until you are able to return.
- If an absence is beyond the student's control, the student must communicate the circumstances of the absence to the Coordinator within three days of the absence. The Coordinator may excuse absences. After three days, the absence cannot be excused.
- Immediately after five total unexcused absences (in all classes) in one semester, all interpreting services will be withdrawn for the remainder of the semester. To discuss the possibility of reinstating service, the student should contact the Coordinator.
- The student has the right to appeal all decisions made by the Coordinator.

Late Policy

If you are late for class, please notify your professor, or division secretary, or send a text message to your interpreter. Interpreters have been instructed to wait 15 minutes. If you do not arrive within the first 15 minutes, the interpreter / agency will notify the Coordinator of your absence and a "no-show" form will be placed in your file.

Interpreter Responsibilities

Professional interpreters adhere to a Code of Professional Conduct. You may review that here: <u>http://www.rid.org/ethics/code/index.cfm</u>

For the Student: Interpreter? Speech-to-text service?

Questions to consider:

Do you understand sign language well enough to comprehend the anticipated level of the class content?

Will the class have extensive new vocabulary, or other aspects that you may want to learn through permanent text, rather than via fingerspelling or sign?

- Are your reading skills adequate for learning quickly from text input?
- Are you comfortable using detailed class notes when you study?
- Have you used a speech-to-text service in the past? Did you learn well with it? Did you have problems with it?
- If you do not voice for yourself, are you willing to type your questions/comments for the speech-to-text service provider to voice for you?
- Are you willing to try another kind of service for a trial period?

Mobility Impairments

The Coordinator may assist in advocating for removal of physical barriers on campus. Parking and vehicle regulations can be found at http://www.roberts.edu/LifeAtRoberts/ResidentLife/Security/CampusParking/

If a student is in need of emergency assistance, please call campus security at 585.594.6170. They are available 24 hours a day, 7 days a week.

Please make an evacuation plan with your professor and/or residence hall staff in the event that an elevator becomes out of service. If you have an attendant, the two of you should discuss emergency evacuation plans in advance.

If you live in student housing, discuss your plans and carrying techniques with your Residence Hall advisor and other persons who might be available to assist you.

<u>Wheelchair Repair</u> The Coordinator does not provide a wheelchair repair service. For this reason, regular preventive maintenance is advised to reduce the need for repairs and the expense involved.

If you have an extra chair, it is advisable to bring it with you.

- Should your wheelchair require repairs, these businesses may assist you:
 - Monroe Wheelchair 585.385.3920
 - Fonte Surgical 585.338.1000

<u>Attendants</u> By law, RWC is not required to obtain personal care attendants for students, or to provide personal care items such as specialized beds, bath chairs, and hearing aides. Students

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<u>Lab Assistants</u> If you are unable to participate in laboratory classes without the assistance of an aide, the Coordinator will provide you with a letter, which asks the instructor to help you identify a lab partner to assist you. If this is not possible, please contact the Coordinator.

Mental Health Conditions

A mental health condition is a diagnosed mental illness or disorder that substantially limits one or more major life activities. It is important to note that a mental health condition in itself does not necessarily constitute a disability. Most mental health conditions can be controlled using a combination of medication and psychotherapy so that they do not "substantially limit" a student's productivity and success in the academic environment.

Professional counseling services are available *free of charge* to undergraduate students taking more than 9 credit hours per semester. Services for part-time and graduate students are also available, although there is a cost for these services.

To make an appointment with the Counseling Center, please call 594.6882. On-call services are available 24 hours/day for emergency situations. In these situations, please contact your residence hall director or campus security (x 6170), and they can reach the on-call counselor.

Medication Issues

If you are a student taking or changing medication to manage your disability, speak with your medical professional about the effect on your academic performance.

The Learning Center exists as a student advocacy agency and can assist you in obtaining appropriate accommodations. The Learning Center offers a wide range of services that may be helpful to you at various points in your program. Use of these services and accommodations does not appear on your academic/official transcript at any time.

Chronic Conditions

RWC provides auxiliary aids and services to qualified persons with chronic health conditions. Chronic health conditions may include, but are not limited to: AIDS, arthritis, Crohn's disease, cystic fibrosis, fibromyalgia, heart disease, cancer and diabetes.

Temporary Conditions

Students with temporary mobility impairments due to a broken leg or surgical procedure may qualify for accommodations during one semester. Transportation assistance, speech to text software, or extended time is often necessary for a short period of time. Discussing your needs with your professors may be sufficient for your situation.

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Appendix A: Attention Deficit/Hyperactivity Disorder (ADD/HD)

Your medical professional will use the DSM guidelines to diagnose ADD/ADHD. A prescription pad with "ADD" written on it is *not* sufficient information to provide to the Coordinator to be able to advocate on your behalf. A report must be typed, signed, dated, and legible, on the professional's letterhead.

A student may qualify to register with the Coordinator and receive services at RWC if a comprehensive evaluation has been completed, including diagnostic information based on the current version of the DSM (Diagnostic and Statistical Manual). Scores and interpretation of intelligence tests and achievement tests, in addition to tests of attention and memory are among the minimal requirements for a comprehensive evaluation.

The Coordinator reserves the right to request additional documentation based on incomplete or out dated evaluations. Flexibility in accepting documentation that is more than three years old may be important under certain circumstances, if the previous assessment is applicable to the current setting/request for accommodation. It should be noted however, that if someone with a presumptive disability is requesting an accommodation that does not seem to relate to the obvious disability, then additional documentation may be requested so that the connection is made between the functional impairment and the accommodation. For example, a student in a wheelchair who has alternate test location requests use of a calculator on math tests. There is no apparent reason for the use of a calculator; therefore, requesting additional documentation is an appropriate response.

Additionally, if there has been a major trauma since the testing was administered (accident, stroke, alcohol or drugs, head injury etc.), requesting an updated report is within the Coordinator's scope of practice.

Finally, if the individual has a mental health diagnosis, whether that person is new or has been out of school for a week or 2 years, requesting an updated status report is also best practice.

Note: because of the challenge of distinguishing normal behaviors and developmental patterns of adolescents and adults (e.g. procrastination, disorganization, distractibility, restlessness, boredom, academic underachievement, low self esteem, chronic tardiness or in-attendance) from clinically significant impairment, a *multifaceted evaluation should also address the intensity and frequency of the symptoms and whether these behaviors substantially limit one or more major life activities*, as is stated in disability law. A positive response to medication, by itself does not confirm a diagnosis, nor does the use of medication by itself, support or negate the need for accommodations.

Appendix B: Learning Disabilities

In order for a diagnosis of LD is to be made, at least 2 criteria must be present:

- The student must take the initiative to express a specific concern about his or her academic performance.
- Norm-referenced, standardized testing reveals overall or verbal IQ that is at least in the average range, if not higher, with some specific areas of academic achievement that are minimally one standard deviation (1 SD) below measured intellectual ability level (this is referred to as the aptitude-achievement discrepancy)

Typically, professionals recognized as being qualified to make a diagnosis of LD are licensed psychologists (neuropsychologists, psycho-educational or learning specialists). Any additional documentation and evidence may be provided, that demonstrates how a learning disability impacts academic achievement. It should be noted that, if the documentation for LD is based on the WISC-R or WISC 4 and not on the WAIS, and was administered at age 12 or 13 (or younger) it is appropriate, and probably necessary, to recommend an update. Why? The WISC does not give you fluid reasoning or sequencing information that are often the basis for making decisions about accommodations such as course substitutions.

Students who require the use of alternate format textbooks must, by law, provide documentation that clearly lists a diagnosis of Reading Deficit in the areas of reading comprehension, decoding, or reading rate that is at or below the 16th percentile. If documentation does not support the definition of reading deficit, a student may speak to the coordinator and a variety of additional resources may be discussed to assist the student.

Appendix C: Responsibilities and Rights of Students with Disabilities

A RWC student must check their email every day.

A RWC student must disclose their disability to the Coordinator of Services for Students with Disabilities to receive accommodations. By law, disclosure of a disability at the end of the semester does NOT allow the student retroactive accommodations.

A RWC student must provide disability documentation at least 3 weeks prior to the start of a semester. Some auxiliary aids and services require 6 weeks or more to obtain (e.g. e-textbooks, real time captioning services, etc)

A RWC student must meet with the Coordinator <u>at least each semester</u>. If a change needs to be made to your accommodations, you must meet with the Coordinator to discuss that change. A professor cannot make that change for you

For those auxiliary services likely funded by ACCESS-VR (Vocational Educational Services), the student is encouraged to request that the Coordinator assist in the application process.

The RWC student should become informed regarding disability law, and policies and procedures of the college.

The RWC student must meet the qualifications and standards, both academic and institutional, including the institution's student code of conduct.

The RWC student must provide detailed documentation from a qualified source that verifies the nature of the disability, functional limitations, and the need for specific accommodations required for study at a post secondary institution.

The RWC student must follow specific procedures as outlined in this Handbook.

Rights of Students with Disabilities

A RWC student has the right to equal access to courses, programs, services, jobs, activities, and facilities available through the college or university. This includes applications, websites, etc.

A RWC student has the right to reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined by the institution on a case-by-case and/or course-by-course basis.

A RWC student has the right to reasonable assurance that information regarding a disability will be handled with appropriate respect and be shared with others in the campus community only on a need-to-know basis or to achieve appropriate educational purposes.

A RWC student has the right to information reasonably available in accessible formats.

Appendix D: RWC has the responsibility to:

Maintain academic, admissions, conduct and graduation standards.

Establish reasonable and non-discriminatory policies and procedures regarding students with disabilities and the provision of services

Require that a student with a disability provide current documentation to verify the need for accommodations, academic adjustments, and/or auxiliary aids or services. Documentation serves two purposes: It identifies the individual as someone who is protected from discrimination on the basis of disability, and it is the basis on which the individual can request accommodation, when needed. Furthermore, in July 2009, the 10th Circuit Court of Appeals held that a student with an individualized education plan under the Individuals with Disabilities Education Act (IDEA) did not automatically quality for Section 504 protection. This is based on the 'substantially limits' clause. Furthermore, current documentation does not need to be "written" – it can be observable. (Example – a student comes in with her hand in a cast and requests a notetaker and extended time to take her tests. Requiring her to bring in documentation that her hand is broken is unnecessary and may violate the new guidelines provided by the ADAAA. Additionally, a temporary disability is not covered directly by the ADAAA, however, it IS one under the NYS Human Rights Law and therefore RWC needs to provide accommodations under ADAAA.

Discuss a student's need for reasonable accommodations, academic adjustments, and/or auxiliary aids with the professional source of his documentation with the student's signed consent authorizing discussion if necessary.

Select among equally effective and appropriate accommodations, adjustments, and/or auxiliary aids for each student on a case-by-case/course-by-course basis.

Deny a request for accommodations, adjustments, and/or auxiliary aids or services if:

- a) the request is unreasonable or inappropriate, and/or
- b) the request is not made in a timely manner.

Refuse to provide an accommodation, adjustment, and/or auxiliary that:

- a) poses a direct threat to the health and safety of others;
- b) constitutes a substantial change or alteration to an essential element of a course or program;
- c) fundamentally alters the nature of the service provided; and/or
- d) poses undue financial hardship or administrative burden on the institution.

Appendix E: Software for reading e-text aloud

There are currently dozens of software products for computer-voicing of e-text files. They range in price from free to \$300+. Generally the more expensive products include additional features such as natural sounding voices, highlighting and extracting highlighted text, built in voiced dictionaries, etc. Almost all products include the ability to change the voice and the speech rate. The student can experiment with these options to find the combination that works best for them. If the student is new to the text-to-speech technology, CAST's *Text-to-Speech Technology Resource Guide provides a good introduction:* www.**cast**.org/system/galleries/download/pdResources/**tts**.doc

Below is a partial listing of the many text-to-speech products available:

Free

- Natural Reader free version o http://www.naturalreaders.com/download.htm
- ReadPlease free version o http://www.readplease.com/
- Adobe Reader (built-in Read Outloud feature) o http://get.adobe.com/reader/
- WordTalk (reads only text opened in Microsoft Word) o http://www.wordtalk.org.uk/Home/
- Ultra-Hal; o http://www.zabaware.com/reader/index.html#Interface

Less than \$50

- NextUp Text Aloud o http://www.nextup.com/?gclid=CPbI-OCpraQCFYXV5wodOA8ibw
- Natural Reader Professional version o http://www.naturalreaders.com/personal.htm
- Read Please Plus 2003 o http://www.readplease.com/
- Dolphin Easy Reader o http://www.yourdolphin.com/productdetail.asp?id=9

Include Magnification (with many of the text-to-speech tools listed above, you can set the font size and therefore provide large print on the screen. The following products provide general screen magnification in addition to read out loud features)

• Zoomtext with Reader o

http://www.aisquared.com/products?gclid=CNr_ieWqraQCFaTY5wodV2x6cA

• Magic o http://www.freedomscientific.com/products/lv/magic-bl-product-page.asp

<u>Screen Readers for students who are blind and need full keyboard access to all functions</u> • JAWS o http://www.freedomscientific.com/products/fs/jaws-product-page.asp

• WindowEyes o http://www.gwmicro.com/Window-Eyes/

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Appendix F: RWC Communications Compliance Policy

The ADAA: Background

The ADAA stands for The American with Disabilities Act Amendments of 2008, which retains the ADA's basic definition of "disability" as an impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment. However, it changes the way that these statutory terms should be interpreted in several ways. Most significantly, the Act <u>expands</u> the definition of disability and includes information technology as a <u>requirement</u> of accessible communication. Essentially, all technology communications available to students must be equally available to students with disabilities. Roberts Wesleyan College abides by the Rehabilitation Act, section 504 and the ADA, title III.

Electronic and Information Technology: The Rehabilitation Act of 1973

This website has been established to ensure compliance with the basic guidelines established and recently amended in Section 504 of the Rehabilitation Act of 1973 and the Amendments to the ADAA (title III) which broadens requirements to include accessible electronic information technology (EIT). <u>RWC has made compliance a priority</u> by establishing a Universal Design Council* to address ongoing assessment of communication technology, providing faculty members with ongoing education and support, and committing to these policies and procedures by systematically assessing access to technology, programs and courses. The College will provide:

- 1. a commitment to Universal Design for Instruction (UDI)
- 2. production of all printed materials in an alternate format upon request (based on documented need)
- 3. assistive technology and adaptive equipment to utilize technology on campus
- campus web accessibility including library databases, classroom web pages and campus offices
- 5. distance education accessibility including video captioning
- 6. purchase and distribution of accessible software and hardware
- 7. access to informational and instructional video media (closed captioning)

Note: All printed materials, such as financial aid documents, class schedules, catalogs and department flyers are available in an alternate format upon request. Please contact Annette Willgens in The Learning Center at Willgens_annette@roberts.edu or 585-594-6270.

*UDI Council Members:

Vice President for Academic and Student Support, Director of Library Digital Services and Systems, Coordinator of Services for Students with Disabilities

One representative from each of the following areas – Human Resources, Information Technology, Teacher Education

At large faculty (online teaching experience preferred) – Undergraduate (1), Graduate or Non-traditional faculty member (1),

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Appendix G: Sample Accommodation Letter

Academic Accommodations for Semester

This student has a documented disability, which results in an impaired ability to process visual, auditory and/or kinesthetic information in a traditional manner. The Rehabilitation Act (section 504) guarantees that students at the post-secondary level have access to academic accommodations which do not discriminate against them. Academic accommodations should not alter the objective of a course. The intent of these accommodations is to allow individuals to participate fully in classes and to be assessed using methods which measure their knowledge and abilities, not their disabilities. Confidentiality must be maintained at all times. *This is a legal document entitling the bearer to the following accommodations:*

- textbooks in alternate format
- ability to audio-record lectures (see consent form next page)
- document conversion ______ to ____
- extended testing time x $1.5 \times 2x$ (not for guizzes) *
- separate testing location / distraction free *
- use of text to speech for testing (Kurzweil)
- use of text to speech reading software
- use of a calculator for testing
- use of computer for testing
- use of other software (Dragon, Jaws, Ginger, Kurzweil,)
- allowance for errors in spelling/grammar on "in class" assignments only
- *Professor, please attend to these items, if applicable:*
- note taker
- provide power point (in advance of lecture)
- extended time to complete course assignments

(with professor approval for each assignment; alternate due date required) *Comments/Other:*

Students, please request BY EMAIL or in person, your intent to use accommodations EACH semester and identify which professors require notification. Please meet with your professors to take an active role in securing your accommodations. Please contact me with any questions.

(student signature is on file) Student signature

Annette M. Willgens

willgens annette@roberts.edu x6494

*Student must provide both the Professor and The Learning Center 2 days notice for EACH test taken. Student may decline testing accommodations. If the student declines, extended time need not be provided.

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Appendix H: Confidentiality and Release of Information

• The Coordinator views all materials pertaining to a student's disability as confidential. This policy is based upon government mandates regarding the confidential treatment of disability-related information.

• Any written material regarding a student's disability obtained by The Learning Center (TLC) is used to verify the disability and plan for appropriate services.

• All disability-related information for students at RWC is housed in The Learning Center. Each student has a separate file housed in a secure filing cabinet. Only staff persons working at TLC have access to these files.

• Disability information may be released only when a student submits a signed "Release of Information" form.

• The Family Educational Rights and Privacy Act of 1974 (FERPA), also known as the Buckley Amendment, and the Americans with Disabilities Act (ADA), do not allow faculty or others access to disability-related information.

• According to the Association on Higher Education and Disabilities (AHEAD),

"Disability related records provided by a physician, psychiatrist, psychologist, or other recognized professional are not subject to free access under FERPA."

• According to AHEAD, "it is only necessary to share with the faculty the information that a student has a documented disability and need for accommodation(s)." Faculty members have no need to know the nature of the disability, "only that it has been appropriately verified by the individual (office) assigned this responsibility on behalf of the institution."

• A student may request to review the contents of his/her own file when the Coordinator is present. All information in the file is the property of RWC.

• The Learning Center will retain all disability documentation for six years after students leave RWC.

CODE OF STUDENT CONDUCT

The Learning Center is a professional environment that provides services and accommodations for students with disabilities at Roberts Wesleyan College. In order to best serve our students, we expect everyone to be courteous and appropriate to one another and to The Learning Center staff. Profanity, aggression (verbal or physical), threats, yelling, slamming doors or items, failing to comply with RWC guidelines, etc. are considered unacceptable due to the disruption of other students and staff in providing services and academic accommodations.

Disruptive and disorderly conduct or failure to comply with the guidelines and expectations of the RWC Code of Student Conduct may result in contacting the Office for Student Development or Campus Security. The same general expectations of behavior apply to all students, including those with disabilities. Students registered with The Learning Center must adhere to the policies and guidelines stated in the Code of Student Conduct. These policies apply to academic and non-academic behavior on and off campus. Feel free to discuss any questions, comments, or concerns with the Coordinator.

Roberts Wesleyan College

The Learning Center

B. Thomas Golisano Library

2301 Westside Drive

Rochester, NY 14624

585.594.6270