

Guidelines for Required Documentation to support accommodations on the Texas Bar Exam for blindness, legal blindness, and low vision

Note: If you can provide any of the following, then you may *not* need to provide a report from a Qualified Professional:

- Proof that the NCBE granted you the requested accommodation on the MPRE; **or**
- Proof that you received the requested accommodation in response to an IEP or Section 504 plan, along with a copy of that IEP or Section 504 plan; **or**
- Proof that you received the requested accommodation on a bar exam offered within the last 3 years by another jurisdiction, along with the documentation you provided to that jurisdiction to support your request; **or**
- Documentation from the Social Security Administration or Veteran's Administration establishing your disability and how it impairs major life activities.

1. Documentation must be from a Qualified Professional.

- 1.1. According to the ADA, "A qualified professional is licensed and otherwise properly credentialed and possesses expertise in the disability for which modifications or accommodations are sought." Typically, an optometrist or ophthalmologist is qualified to provide supporting documentation for visual impairments.
- 1.2. The documentation should clearly state the name, title, and professional credentials of the Qualified Professional — including information about their licensure or certification, areas of specialization, employment, and the state or province in which they practice.
- 1.3. All documentation should be on letterhead, in English, dated, signed by the Qualified Professional, and legible.

2. Documentation must document the applicant's need for each requested testing accommodation.

- 2.1. The documentation should include a diagnosis addressing the

following information, as relevant to the applicant's condition:

- the current diagnosis, including a statement as to whether the condition is progressive or stable
- best corrected visual acuities for distance and near vision
- eye health
- visual fields: threshold fields, not confrontation (provide measurements and copies of reports)
- binocular evaluation: eye deviation (provide measurements), diplopia, suppression, depth perception, convergence, etc. (specify whether difficulty with distance, near point, or both)
- accommodative skills at near point, with and without lenses (provide measurements)
- oculomotor skills: saccades, pursuits, tracking
- clinical observations

2.2. If the applicant is asking for more than 50% additional time:

- For each exam session, the documentation should explain why extra testing time is necessary and describe how the Qualified Professional arrived at the specific amount of extra time recommended. See Appendix 1 for a description of the Texas Bar Exam under standard conditions.
- The documentation should include a summary of the diagnostic interview conducted by the Qualified Professional. The information collected for the diagnostic interview should include, but not be limited to, the following:
 - educational history (including previous standardized test scores, group-administered test scores, IEPs, 504 Plans, report cards and/or listings of previously obtained accommodations and evidence of their effectiveness)
 - a description of current functional limitations in academic testing or employment settings

-if relevant to test-taking performance, a description of the expected progression or stability of the impact of the condition over time.

Appendix 1

1. Texas Bar Exam under Standard Conditions

- The bar exam is given in a large room with 150-1,100 examinees seated in assigned seats. Examinees may bring in a water bottle and cannot bring in any other food or drinks. They may leave their seats during the exam to stretch, go to the restroom, or refill their water bottle.
- The exam is a two-day exam, with a morning session and an afternoon session each day. Each morning session starts at 8:30 a.m. Examinees have a lunch break of about 60-90 minutes. Each afternoon session starts at 1:30 p.m.

2. Day 1 morning session (MPT)

- Examinees are given two paper booklets. Each booklet contains a set of facts, a library of legal resources, and an assignment to perform a lawyerly task using the materials provided. The official instructions recommend that examinees allocate half of their time on each assignment for reading and organizing and half for writing the assignment.
- Examinees may either type their answers using their laptop or handwrite their answers into a lined paper booklet.

3. Day 1 afternoon session (Essays)

- Examinees are given a paper booklet containing 6 essay questions.
- Examinees may either type their answers using their laptop or handwrite their answers into a lined paper booklet.

4. Day 2 morning session (MBE)

- Examinees are given a paper booklet containing 100 multiple-choice questions. They have 3 hours to answer. They record their answers by “bubbling” in on a computer-graded Scantron grid.

5. Day 2 afternoon session (MBE)

- Same as the morning session.