

**COURT REPORTERS BOARD
OF CALIFORNIA**

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**SPECIAL MEETING OF THE COURT REPORTERS BOARD**

**Wednesday, December 7, 2016
2:30 p.m. to conclusion**

The Court Reporters Board meeting will be held via videoconference at the following videoconference sites:

Dept of Consumer Affairs, HQ2
1747 North Market Boulevard,
1st Floor, Hearing Room
Sacramento, CA 95834

Kramm Court Reporting
401 West A Street,
Suite 750
San Diego, CA 92101

Bureau of Automotive Repair
16735 Von Karman Avenue,
Suite 100
Irvine, CA 92606

AGENDA

Board Members: Davina Hurt, Chair; Rosalie Kramm, Vice Chair; Elizabeth Lasensky; Carrie Nocella; and Toni O'Neill

CALL TO ORDER – Davina Hurt, Chair

ROLL CALL AND ESTABLISHMENT OF A QUORUM

- I. FINDING OF NECESSITY FOR SPECIAL MEETING– GOVERNMENT CODE SECTION 11125.4(c)
- II. CONSIDERATION OF REQUEST FOR EMERGENCY RE-TEST OF THE SKILLS PORTION OF LICENSING EXAMINATION
- III. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

ADJOURNMENT

Action may be taken on any item on the agenda. All times are approximate and subject to change. The meeting may be cancelled or shortened without notice. Any item may be taken out of order in order to accommodate speaker(s) and/or to maintain quorum. For further information or verification of the meeting, the public can contact the Court Reporters Board (CRB) via phone at (877) 327-5272, via e-mail at paula.bruning@dca.ca.gov, via written correspondence by writing to: Court Reporters Board, 2535 Capitol Oaks Drive, Suite 230, Sacramento CA 95833, or via internet by accessing the Board's web site at www.courtreportersboard.ca.gov.

In accordance with the Bagley-Keene Open Meeting Act, all meetings of the CRB are open to the public. The CRB intends to webcast this meeting subject to availability of technical resources.

The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting may make a request by contacting Paula Bruning at (877) 327-5272, e-mailing paula.bruning@dca.ca.gov or sending a written request to 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation. Requests for further information should be directed to Yvonne Fenner at the same address and telephone number. If any member of the public wants to receive a copy of the supporting documents for the items on the agenda, please contact the Board within 10 days of the meeting. Otherwise, the documents, if any, will be available at the meeting.

The public can participate in the discussion of any item on this agenda. To better assist the Board in accurately transcribing the minutes of the meeting, members of the public who make a comment may be asked to disclose their name and association. However, disclosure of that information is not required by law and is purely voluntary. Non-disclosure of that information will not affect the public's ability to make comment(s) to the Board during the meeting. Please respect time limits. The public may comment on any issues not listed on this agenda. However, please be aware, that the Board CANNOT discuss or comment on any item not listed on this agenda.

AGENDA ITEM I – Finding of Necessity for Special Meeting

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Agenda Description: Vote on Necessity for Special Meeting

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Brief Summary:

Government Code Section 11125.4(c) requires that at the commencement of any special meeting, the state body must make a finding in open session that the delay necessitated by providing notice 10 days prior to a meeting as required by Section 11125 would cause a substantial hardship on the body or that immediate action is required to protect the public interest. The finding shall set forth the specific facts that constitute the hardship to the body or the impending harm to the public interest. The finding shall be adopted by a two-thirds vote of the body, or, if less than two-thirds of the members are present, a unanimous vote of those members present. The finding shall be made available on the Internet. Failure to adopt the finding terminates the meeting.

Citing a breach of Board policy in the administration of the November 18, 2016 skills portion of the CSR license examination, a number of schools have requested the Board immediately administer an emergency re-test. Due to the pressing timeframe and logistics involved in preparing an additional examination in an expedited manner, a special meeting is necessary to be held in less than 10 days to address the request in order to have time to grant the request. Failure to do so would cause significant and substantial administrative and logistical hardships to the body if a decision is made at a regularly noticed meeting to administer an additional examination.

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Fiscal Impact: No additional costs as meeting costs have already been incurred to reach this point.

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Report Originator: Yvonne Fenner, 12/2/2016

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Recommended Board Action: Staff recommends passing the following motion in order to allow the meeting to continue:

SUGGESTED MOTION: The Board finds that there is a necessity to convene a special meeting to address the issue of scheduling an additional examination because a delay in meeting would cause a substantial hardship on the board due to the pressing need and the time involved in scheduling such an exam.

AGENDA ITEM II – Request for Emergency Re-Test of Skills Portion of CSR License Exam

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Agenda Description: Consideration of request to administer emergency re-test
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Brief Summary:

During set-up of the November 18, 2016, skills portion of the CSR license exam, a decision was made to change the seating order of the readers of the exam. Included in the manual of Board policies, including policies regarding exam administration, is this statement from June 1999:

(5) Arrangement of the speakers from left to right:

Court Transcripts:

Plaintiff attorney, witness, Court, and defense attorney

Deposition:

Plaintiff, witness, defense attorney #1, defense attorney #2

Adopted: June 1999

While the change of speaker line-up was intended to facilitate the reporting of the proceeding, it allegedly created consternation among many exam candidates, resulting in a higher rate of incompletes, or tests that were not transcribed for grading.

On November 23rd, 2016, a request was received by a number of court reporting program instructors for an "immediate emergency re-test," including an offer from Sage College of Court Reporting for the Board to use their facility to administer a re-test of the exam. Staff has expedited the grading process, and will have preliminary results available at the meeting.

The next regularly scheduled skills exam is tentatively scheduled for March 10, 2017, in Los Angeles.

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Fiscal Impact: The largest cost component to the skills portion is the rental of the hotel space. The contracted amount is typically much higher than the actual amount because discounts are given if a certain threshold of sleeping rooms is met. So the range of actual versus contracted for Los Angeles is \$13,000-32,000 and for Sacramento is \$5,900-14,000.

Additional costs include staff and reader travel expenses.

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Support Documents:

Attachment – Exam Exit Survey Results
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Report Originator: Yvonne Fenner, 12/2/2016

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Recommended Board Action: If the Board decides to grant the request for a re-test, the following motion is recommended:

SUGGESTED MOTION: Move to instruct staff to make all necessary arrangements for administration of a re-test of the skills portion of the CSR license exam to be conducted as soon as possible.

EXAM EXIT SURVEY RESULTS

TEST DATE: November 2016 TOTAL # OF CANDIDATES: 126 SURVEY TOTAL: 80

1. How did you qualify to sit for the CSR exam?

Completed a CA recognized CSR program: 72

Work Experience: 2

Holder of RPR Certificate: 6

Licensed CSR from Georgia, Nevada, or Texas: 0

2. If you completed a program at a court reporting school, when did you complete the program?

Responses not tallied.

3. Do you feel you were adequately prepared to pass the dictation/transcription portion of the CSR exam?

Yes: 71

No: 6

No Answer: 3

4. Do you feel the speed of the dictation exam was:

Too fast: 32

Too slow: 0

Appropriate speed: 46

No Answer: 2

5. Did the readers speak clearly?

Yes: 57

No: 22

No Answer: 1

6. Was the warm-up period:

Too short: 15

Too long: 2

Appropriate amount of time: 60

No Answer: 2

Too Dense: 1

7. Did you encounter any problems with fingering or keystrokes during the dictation portion of the exam?

Yes: 47 (3 said it was due to nerves.)

No: 25

No Answer: 8

Comments:

- I don't feel attendees should be able to bring up discussions during test time. Not open forum to debate rules.
- I think reporters practicing over 20 years, who are RMR and CRR certified should only have to take the professional portion.
- Great speakers and amazing set up. Ran on time. (Holder of RPR and Nevada license)
- Hated speaker seating.
- Not enough time for setup.
- Speaker signs were opposite of warmups.
- All speakers were sitting in opposite places. 3 ½ years of doing it a certain way and the board decides to switch it up on a day that everyone is already nervous for. This was very unfair and confusing. At least the warm ups prior should have been changed.
- It was very difficult to designate the defense attorneys because of where they were sitting.
- Having all the speakers out of order was not good.
- This was the worst testing experience I have ever encountered. Too fast, too many horrible word combos and speakers out of place from what we are used to. Not a fair test at all.
- I didn't like the layout of the speakers, moving defense and the witness.
- The curtains behind the readers were open and sun glaring in, could not see who was speaking. With scrambled seating locations of the readers this became a problem a few times. Sadness...
- Felt it was very unnecessary to switch the positions of the speakers. They spoke in a very casual tone. They did not enunciate or make an effort to raise their voices.
- Test was too dense, too difficult. Also switched the reader's position, but there is an interim period for us to sit out. Not fair to test us on something we haven't had any preparation or practice for.
- It would have been better to practice with the position of the speakers that threw me off.
- The last minute placement of the speakers was cruel.
- The terminology of the exam was hard and the words weren't pronounced clearly.
- Extremely fast speakers. I never used 15 pages before that shows it was faster than 200 and change format of speakers felt so blindsided.
- The dictation was difficult to write to. Sometimes I write better to a CSR exam, depending on what is discussed in the dictation. This exam was difficult to write to.
- Encountered problems with the number section and the section where they repeatedly said RN & LVN.
- Switching of speaker's spots threw me off.
- Hardest test in the last 2 years.
- Speakers moved around was in no way beneficial to this test. Hardest test I've taken. Content seemed too complicated for my liking. Test ran late. The speakers switched around was the most frustrating for me.
- Thank you for having quality people helping us.
- A warning or some notice informing candidates that the speakers would be moved would have been helpful, or even possibly an announcement at warmups. The surprise was not helpful to the already stressful environment. Also some proper words were not list in the instructions. For example, "Fresno" & "ER" & "RN" were not list, nor mentioned.
- Horrible first experience. Really, really did not appreciate the reader change up on us last minute. For a CSR exam, please do not do a last minute speaker change without informing students. I feel like the money I have spent to get here today has been a total waste. I feel completely ripped off. I truly feel that all the students who took today's test are owed a refund.
- I have been practicing for five years with the same designations, and for them to be changed for the CSR is completely unfair. Thank you for setting us all up for failure.
- Completely unfair changing places of speakers - NOT happy – I don't think you care – at all. I'm getting really tired of hearing how much you want us to work out there. This test is hard enough and stressful enough as it is. But then you go pull this speaker change? Wow – I'm really not even sure I want to do this anymore. I'm tired of feeling sabotaged. And this is TRULY what I feel like!

- This test was very challenging. I understand that we need to be ready for the real world and work, but I felt that all of us here taking the exam are actually ready to start. The amount of money and time spent on getting here – I am dedicated and know after interning 200+ hours I am ready. This exam was brutal.
- The speakers were not where I am normally used to. Struggled with sign changes.
- Since the way the speakers were positioned, it through (sic) me off a little.
- Felt the material being dictated was not normal material. I am very disappointed in the decision to change the seating of the speakers to an order that we were not comfortable or familiar with. I do realize that we are being tested on our skills as professionals, not students, but we should have been given warning. Also, you have to understand that most of us are still students, not professionals.
- I just felt that the exam was fast. There were many words in there that held me back. This is my fourth time taking the test, and I felt this was the fastest they have spoken.
- I think it was insane to warm up with the readers in one position and then to change the position of every single reader for the exam. It seemed to be a deliberate attempt to disorient every single CSR candidate.
- Speaker ID changes during exam was extremely distracting and possibly the result of a fail. We were never even informed of different speaker locations.
- The speakers were seated differently from what I'm used to. However, it's good to know for the next time.
- This is my first CSR. I was prepared. I cannot truly express how amazingly disappointed I am by this event. The curveball w/ the readers was 100% not appropriate. Warm up dictation prior to the test should have been given in the same format at the very least. It has taken me SIX years to get here, and my confidence has been thoroughly crushed. As if this program wasn't hard enough, people.
- The CSR Exam itself is difficult enough no need to further complicate it by switching the speakers ID's. I don't see how doing that would further prepare us for the real world.
- This dictation was difficult.
- I was not prepared for the order in which the readers were sitting. It was very confusing as that is not the way we practice. I just thought it added another layer of stress on top of an already stressful situation.
- The way the speakers were set up really through me off. We've spent years w/the same set up. It was very confusing and some words weren't clear at all. Material was extremely hard! I had a - very bad experience. Fresno and ER not on word list.
- The speakers identifying position was changed for the first time ever with no warning. I don't think it was appropriate to have changed the speaker designations at a CSR. It caused so much added stress and confusion to everyone. It was or should have been something we should have been warned about.
- The Defense 2 being a woman made it difficult to hear when she spoke before the witness. Changing the way the readers traditionally sit for a depo was very challenging and unfair of the Board.
- Why in the WORLD would you guys switch up the positions of the readers?! We practice a certain way EVERY day at school – why add extra stress to us? Is this not hard enough? WHY!?
- The readers sat on the wrong side for dense. When this was mentioned, the answer to this concern was basically deal with it. This added stress to an already stressful situation. And this test was by far the most difficult one ever.
- Subject matter was difficult. Sat in two very bad tests, and both in Sacramento. Very disappointed.
- Material was denser this test and did not flow well. Difficult test.
- I am very angry. Why in the world would you switch up the speaker positioning!! We are trained in a certain format. This test is stressful enough without added complications. This was NOT fair. There was no reason to change the speakers without any warning to the school to help us prepare. This was wrong!

- I felt confident that the speakers' set up was not going to make a difference and trusted the Board's comments before the test...though, I did stumble when trying to ID D2. There's always a next time. You guys always do a great job!
- Hard time with speakers. Great reading.
- Never taught in school the different placement of speakers.
- The speaker mark issue we discussed with you. I've been in school for so long and paid a lot of money for today, hotel, gas, food, and the test fee, and I honestly felt today's test was a complete waste of time. I saw people straight up stop typing. We are not certified yet and it is completely unfair to expect that right now. A lot of reporting you learn from experience and I am completely shocked how this was handled.
- I thought this test was incredibly difficult. I did not turn my test in. The material was overwhelming and not at an entry level. The fact that the two defense attorneys were on the left was upsetting. It was an awful test and has shot my confidence.
- This was the worst test of my life! I know we are to be prepared for everything, but everyone knows how stressful this "testing" situation is and to switch around speakers is ridiculous. A proctor said before the test, "Trust me. This is better for you. You'll see. We want you to succeed." It really doesn't seem that way. Maybe ask a room of students if a change like that would affect them before making such a "HUGE" change.
- Having so many abbreviated words was tough. It would have been nice to know that seating of speakers was going to be switched. I realize this will happen in the "real world," but it made the test harder. Proctors were very nice.
- The setup of the readers set us up to fail. If you need court reporters, why do that to us? I was so prepared. This test was bullsh*t.
- Readers mostly clear. Had a hard time hearing some of the dates. I think there was a stumble over ABD. Thanks!
- Haven't been practicing 4 voice. Seeing speakers switched threw me because I have a hard enough time coming to the test over the years.