

**TITLE 16. COURT REPORTERS BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS**

**INITIAL STATEMENT OF REASONS**

**Hearing Date:** No hearing has been scheduled for the proposed action.

**Subject Matter of Proposed Regulations:** Examination Results and Transcript Format

**Sections Affected:** Amend Sections 2420 and 2473 and Repeal Section 2422 of Title 16 of the California Code of Regulations (CCR)<sup>1</sup>

**Background and Statement of the Problem:**

The Court Reporters Board of California (CRB or Board) licenses, regulates, and investigates complaints against individual court reporters and firms that offer court reporting services, totaling approximately 5,800 licenses. CRB carries out its regulatory authority by administering a three-part, minimum-level competency examination to determine entry-level knowledge and abilities, regulating the minimum curriculum that court reporting schools and programs must offer, and disciplining licensees when necessary. CRB enforces the Shorthand Reporters Practice Act (Chapter 13 (commencing with section 8000 of Division 3 of the Business and Professions Code (BPC)) (Act). BPC section 8007 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary to carry out the provisions of the chapter.

Existing regulations at CCR sections 2420 and 2422 set forth exam requirements and related provisions for certified shorthand reporters, including permission for examinees to inspect their exam transcripts and a copy of the Board's official transcripts upon written request, as well as the ability of examinees to request reconsideration of their exam results. Existing regulatory language at CCR section 2473 sets forth minimum transcript format standards with which shorthand reporters must comply. Other California laws that relate to format standards for electronic transcripts include requirements for full text-searchable portable document format (PDF) transcripts. (California Code of Procedure (CCP) section 271, California Rules of Court rule 8.144(d)). CCP section 271 requires official court reporters to deliver transcripts in electronic form, in compliance with the California Rules of Court, unless requested in paper form. Subdivision (d) of California Rules of Court rule 8.144 relates to courts of appeal and the Supreme Court and requires, in part, that reporter's transcripts that are delivered in electronic form must be in "full text-searchable PDF (portable document format) or other searchable format approved by the court."

The Board originally administered the dictation exam in person, using exam content only once and then discarding it, so there was no risk of applicants cheating or other exam security issues related to the release of examinees' transcripts or the Board's

---

<sup>1</sup> Unless otherwise noted, all references to the CCR hereafter are to Title 16.

official transcripts. After the onset of the COVID-19 pandemic, starting in July 2020 the Board now administers the dictation exam online and remotely via Realtime Coach.<sup>2</sup>

However, the Board continuing to allow examinees to inspect transcripts under CCR section 2422(b) jeopardizes examination security because the current online testing system uses an item bank of exam content that is reused multiple times during the three-week period of testing per exam cycle and between exam cycles and cannot be exposed to examinees while it is still actively being used and administered to other examinees. The use of exam item bank content is an accepted practice in exam development to achieve broad availability of exam content that can be reused within and between administrations while keeping costs lower than they would be for developing all new unique content for each exam administration.

Item bank usage for the online dictation exam is crucial to provide sufficient exam content while limiting overexposure. It helps ensure that an examinee who takes the exam on the final day of testing is not taking the exact same exam administered to every other examinee for the previous three weeks. With online administrations that have multiple exam forms in the item bank, the testing vendor can track which exam forms they administered to an examinee in the past and ensure that they do not give an examinee the same form again in the event an examinee fails the exam and must retest. Testing vendors eventually retire and discard older forms of the exam. Furthermore, the Board's limited resources make it fiscally impossible to discard the exam form after each day and to develop and administer a unique exam every day for three weeks straight, which would have to be repeated for the three exam cycles per year, totaling nine weeks of testing per year that would require a unique exam each day if exam item banks were not used for the online dictation exam. The Board does not have sufficient funding to develop that many unique forms of the dictation exam.

This proposal will amend CCR section 2420 to add a requirement that the Board notify examinees of their examination results, relocating this requirement from existing CCR section 2422(a) that is being repealed under this rulemaking. The proposal will repeal CCR section 2422 in its entirety to rescind examinees' permission to inspect their examination transcripts and a copy of the Board's official transcripts and to rescind examinees' ability to request reconsideration of their examination results. The proposal will also amend CCR section 2473 to establish a new minimum transcript format standard that the text be offered in a full text-search capable electronic format, if requested. Furthermore, the proposal will make other minor, technical non-substantive changes to address punctuation and grammar.

BPC section 135 sets forth requirements relating to examinations and re-examinations after a failed attempt, including for a divisible part of an examination. BPC section 8005 authorizes the Board to appoint committees and an executive officer and to employ employees as necessary. BPC section 8008 outlines powers and duties of the Board, including the ability to investigate and discipline licensees. BPC section 8015

---

<sup>2</sup> Realtime Coach is the test vendor for CRB's Dictation & Transcription exams.

establishes and maintains a standard of competency for shorthand reporters for the protection of the public and litigants. BPC section 8020 sets forth requirements for admittance into the licensing examination. BPC section 8023 prohibits the issuance of a court reporting certificate until the applicant has passed the required examination. Section 8025 outlines causes under which a license may be suspended, revoked, denied, or otherwise subject to disciplinary action.

A shorthand reporter attains certification and a license after successful completion of a written/skills examination offered in three subjects: English, Professional Practice, and Dictation & Transcription. (CCR section 2420). CCR section 2422 sets forth pass/fail notification requirements for certified shorthand reporter examinations, as well as transcript inspection and reconsideration provisions for failed exams.

Since July 1, 2008, the Board conducts English and Professional Practice written exams via computer-based testing at test centers operated by PSI Services LLC; prior to July 2008, the Board administered exams in person with paper and pencil.

Candidates can sit for any written exam a maximum of once every exam cycle: March-June, July-October, and November-February. The Dictation & Transcription skills examination includes video recordings of four-voice dictation from an actual court or deposition transcript, at 200 words per minute for 13 minutes. Only the last 10 minutes must be transcribed. Prior to July 2020, the Board administered the dictation exam three times a year in person with live dictation.

Since July 2020, the Board administers the dictation exam remotely via Realtime Coach, and the exam is available to candidates for one attempt during three weeks in March, July, and November each year. The material is dictated live and video recorded, and 97.5% accuracy is required to pass the dictation skills exam. With the change from in-person exam administration to online testing, the continuation of the transcript inspections allowed under subsection (b) of CCR section 2422 jeopardizes exam security because the current online testing uses an item bank of exam content that is reused multiple times within and between exam cycles and cannot be exposed to examinees while it is still actively being used and administered to other examinees. The use of exam item bank content is a cost-effective method of achieving broad availability of reusable exam content for licensure exams. With online administrations that have multiple exam forms in the item bank, the testing vendor can track which exam forms an examinee was exposed to in the past and ensure that they are not given that same form again in the event they fail the exam and must retest. The Board does not have sufficient funding to develop dozens of unique forms of the dictation exam for use throughout the year.

At its November 20, 2020, meeting, the Board discussed the matter of proposed regulatory action for CCR section 2422 and voted to approve proposed language and to initiate the rulemaking process.

At its April 16, 2021, meeting, the Board discussed a request from a consumer for a change to CCR section 2473 to require all transcripts be provided in a searchable format.

The Board reviewed and discussed proposed regulatory language at its August 20, 2021, meeting, and CRB legal counsel offered to research the matter further and refine the proposed regulatory language for future review by the Board. At its January 26, 2022, meeting, the Board reviewed and approved a modified version of the proposed language and authorized the executive officer to initiate the rulemaking process, including delegated authority to the executive officer to make any non-substantive changes to the package, and to complete the rulemaking process if no adverse comments were received.

CRB staff recommended combining the two regulatory actions discussed above into one rulemaking package and identified several clarifying changes to the proposed language for CCR sections 2422 and 2473, as well as new proposed changes to CCR section 2420 to accommodate the relocation of a provision from CCR section 2422. The Board passed a motion to approve revised language for all three regulatory sections at its September 1, 2023, meeting, including delegated authority to the executive officer to make any technical, non-substantive changes and to pursue the rulemaking process.

### **Anticipated Benefits From this Regulatory Action**

The proposed amendments to CCR sections 2420, 2422, and 2473 will relocate and clarify existing regulatory language, help ensure the integrity and security of the certified shorthand reporter exam, and help ensure that minimum transcript format standards for shorthand reporters are up to date and consistent with other laws and industry standards.

The relocation of the exam results provisions from CCR section 2422(a) to section 2420(b) will help consolidate examination-related information under one regulation. The repeal of CCR section 2422 will help ensure proper examination security for the current online format of the exam.

When the dictation examination was administered in person, the content was used only once and then discarded, so there were no exam security issues related to the release of examinees' transcripts or the Board's official transcripts. However, if the Board continues allowing transcript inspections currently authorized under subsection (b) of CCR section 2422, examination security would be jeopardized because the current online testing uses an item bank of exam content that is reused multiple times and cannot be exposed to examinees while it is still actively being used and administered to other examinees. The use of exam item bank content is a cost-effective method of achieving broad availability of reusable exam content for licensure exams. With online administrations that have multiple exam forms in the item bank, the testing vendor can track which exam forms they administered to an examinee in the past and ensure that they do not give an examinee the same form again in the event an examinee fails the

exam and must retest. The Board does not have sufficient funding to develop dozens of unique forms of the dictation exam for use throughout the year.

In addition to non-substantive changes, the transcript format revisions contained in CCR section 2473 will help update the minimum standards to reflect the current practice of offering transcripts in electronic format that is text searchable, if requested, when there are no other transcript format guidelines established within a jurisdiction.

This proposal aligns with the Board’s mission to protect and serve the public by ensuring that shorthand reporter examinees have properly and successfully completed the licensing examinations and that certified shorthand reporters offer transcripts in a full text-search capable electronic format upon request, which can reduce administrative costs such as printing and mailing and also aligns with the technological advancement of the legal and justice system.

### **Specific Purpose of Each Adoption, Amendment, or Repeal:**

#### **Amend Section 2420, Examination Required, Passing Grades and Conditional Examination Credit.**

The existing regulation sets forth provisions relating to the three-part licensing examination for certified shorthand reporters, including how passing grades are determined and how and for what duration conditional credit is granted for an examination that has been passed.

- **Amend Section Title**

Change the comma after “Required” to a semicolon, add “; Results Notification;” after “Grades,” and delete “and.”

#### **Purpose**

The purpose of amending the section title is to reflect the proposed content of the regulation more accurately. The addition of a new subsection (b), as discussed below, will expand the regulation content to include the Board’s notification of examination results to examinees.

#### **Rationale**

This amendment is necessary to help ensure that the regulation’s title accurately and clearly represents its content.

- **Add New Subsection (b)**

Add a new subsection (b) regarding the notification of exam results at subsection (b).

## Purpose

The purpose of adding new subsection (b) is to relocate and consolidate this examination-related provision under another existing regulation that also relates to certified shorthand reporter examinations. The existing provision that calls for written notification of examinees of their examination results currently resides under CCR section 2422(a), which is being proposed to be repealed in this rulemaking package, as discussed below.

The exam results notification provision is also being reworded for clarity to require the Board, specifically, to notify examinees in writing of their pass/fail examination results. The current process involves the Board sending hard copy written letters through the United State Postal Service to examinees to notify them of their examination results, and the Board anticipates this process will continue for the foreseeable future.

If technology and process changes arise in the future that allow for email notification of examinees of their examination results, the results would still be provided in writing in the email. No examination results are released to examinees verbally, nor will they be in the future because it would not comply with this regulation.

## Rationale

This amendment is necessary to retain and relocate the exam results notification provision that is being deleted as part of the repeal of CCR section 2422.

- **Renumber Existing Subsection (b)**

Renumber existing subsection (b) to (c).

## Purpose

The purpose of amending existing subsection (b) to (c) is to keep the subsections of the regulation in appropriate alphabetical order after the addition of a new subsection (b), as discussed above.

## Rationale

This amendment is necessary to keep the subsections of the regulation in appropriate alphabetical order.

- **Renumber Existing Subsection (c)**

Renumber existing subsection (c) to (d).

### Purpose

The purpose of amending existing subsection (c) to (d) is to keep the subsections of the regulation in appropriate alphabetical order after the addition of a new subsection (b), as discussed above.

### Rationale

This amendment is necessary to keep the subsections of the regulation in appropriate alphabetical order.

- **Renumber Existing Subsection (d) and Amend the Subsection Text**

Renumber existing subsection (d) to (e) and change “(b)” to “(c)” in the body of the subsection.

### Purpose

The purpose of amending existing subsection (d) to (e) is to keep the subsections of the regulation in appropriate alphabetical order after the addition of a new subsection (b), as discussed above. The amendments also update existing language that had referred to the previous subsection (b) that is being renumbered to (c) under this rulemaking package.

### Rationale

This amendment is necessary to keep the subsections of the regulation in appropriate alphabetical order and to have the correct cross reference to newly renumbered subsection (c).

- **Renumber Existing Subsection (e) and Amend the Subsection Text**

Renumber existing subsection (e) to (f), change “(b)” to “(c)” in the body of the subsection, and add a space in the middle of “maybe” to make it two words.

### Purpose

The purpose of amending existing subsection (e) to (f) is to keep the subsections of the regulation in appropriate alphabetical order after the addition of a new subsection (b), as discussed above. The amendments also update existing language that had referred to the previous subsection (b) that is being renumbered to (c) under this rulemaking package. In addition, the amendments change “maybe” to “may be” because it is grammatically correct as two words.

## Rationale

This amendment is necessary to keep the subsections of the regulation in appropriate alphabetical order, to have the correct cross reference to newly renumbered subsection (c), and to be grammatically correct.

- **Amend Reference Note**

Add a comma after “8020” in the Reference Note.

## Purpose

The purpose of amending the Reference Note is to have proper punctuation.

## Rationale

This amendment is necessary to have proper punctuation for this regulation.

## **Repeal Section 2422, Inspection of Examination Papers; Notification.**

The existing regulation sets forth requirements and processes for notification of examination results, examinee’s inspection of transcripts relating to a failed examination, and examinee’s request for reconsideration of examination results.

- **Repeal Section 2422**

Repeal CCR section 2422 in its entirety.

## Purpose

The purpose of repealing subsection (a) of CCR section 2422 is to relocate the exam results notification regulation text to CCR section 2420(b), where it will be adjacent to more similar regulatory provisions relating to certified shorthand reporter examination grading and results.

The purpose of repealing subsection (b) of CCR section 2422 is to ensure exam security and not allow the disclosure of secure exam materials. BPC section 123 makes subversion of a licensing exam a misdemeanor. Subversion conduct includes, but is not limited to, “conduct which violates the security of the examination materials.” (BPC 123(a)).

Prior to July 2020, the Board administered the Dictation & Transcription exam on a single day three times a year in person with live dictation. Each exam administration was unique with original content, and there was no overlap in exam content or materials between administrations.



Since July 2020, the Board administers the dictation exam remotely via Realtime Coach, and the exam is available to candidates for only one attempt during three weeks in March, July, and November each year. The online format has facilitated the use of a finite test item bank for the dictation exam, similar to what is used for the written exams, which means that some secure exam content and materials are used for multiple exam administrations.

The former practice of starting anew with a unique version of the exam for each new administration is no longer the process. There is now the potential for overlap of secure exam content between exams within and between administration sessions. Therefore, with the change from in-person dictation exam administrations to online testing, exam security would be jeopardized by the continuation of the transcript inspections that have been allowed under subsection (b) of CCR section 2422. The current online testing system uses an item bank of exam content that is reused multiple times and cannot be exposed to examinees while it is still actively being used and administered to other examinees. The use of exam item bank content is a cost-effective method of achieving broad availability of reusable exam content for licensure exams. With online administrations that have multiple exam forms in the item bank, the testing vendor can track which exam forms they administered to an examinee in the past and ensure that they do not give an examinee the same form again in the event an examinee fails the exam and must retest. Furthermore, the Board's limited resources make it fiscally impossible to discard the exam form after each day and to develop and administer a unique exam every day for three weeks straight, which would have to be repeated for the three exam cycles per year, totaling nine weeks of testing per year that would require a unique exam each day if exam item banks were not used for the online dictation exam. The Board does not have sufficient funding to develop dozens of unique forms of the dictation exam for use throughout the year.

If an examinee failed a dictation exam and the Board allowed them to inspect their own transcript, as well as a copy of the Board's official transcript, the examinee would have access to a form of the examination still actively being administered, which would violate the security of the examination materials, against the intent of BPC section 123.

The purpose of repealing subsection (c) of CCR section 2422 is to eliminate duplicate processes and to further ensure sufficient examination security. Under the current exam grading process for the dictation examination, exams that receive a failing grade are automatically given a second or even third grading review before their results are finalized depending on if the grade is within a certain margin of error. Therefore, transcripts that may be considered borderline between pass and fail have already had additional reviews by one or two other and higher-level exam graders.

It is not common for a grader to grant a pass grade to a reconsidered dictation examination. Over the last five years that CRB accepted reconsideration requests for failed dictation examinations, approximately 77 examinees requested reconsideration, and CRB changed approximately 13 exam results from fail to pass (only one per administration, which is less than 17 percent of the requests). In addition, CCR section

2422 requires examinees to specify the grounds upon which their request for reconsideration is based. In order to do this, in the past, CRB granted examinees access to their transcripts and a copy of the Board's official transcript for the given exam administration, as discussed in relation to subsection (b) above.

Under the current test item bank format of the online dictation examination, this exposure to the secure exam content and materials seriously jeopardizes exam security. The reconsiderations can no longer take place, in part, because the transcript inspections can no longer take place. Exam security for the finite test item bank for the online administrations is paramount and cannot be compromised. Even without the reconsideration process, applicants can re-test in the next exam cycle.

The purpose of repealing the Authority and Reference Note is to eliminate all aspects of the regulation. The Authority and Reference Note should not remain when the rest of the regulation is being repealed under this rulemaking.

### Rationale

This repeal is necessary to ensure the security of the Dictation & Transcription examination.

### **Amend Section 2473, Minimum Transcript Format Standards.**

The existing regulation sets forth minimum transcript format standards with which a certified shorthand reporter must comply when producing a transcript in a legal proceeding under certain situations.

- **Amend subsection (a)(2)**

Change "time-stamping" to "timestamping."

### Purpose

The purpose of amending subsection (a)(2) is to make a minor, non-substantive change to correct the spelling of "timestamping," without a hyphen, which is consistent with its spelling in subsection (a)(3).

### Rationale

This amendment is necessary to have correct spelling in this regulation.

- **Amend subsection (a)(3)(A)**

Change the semicolon into a comma.

## Purpose

The purpose of amending subsection (a)(3)(A) is to make a minor, non-substantive change to correct the punctuation of this subsection. Subsection (a)(3) contains three elements that should be separated by commas because subsection (a)(3) is part of a greater series of items that are separated by semicolons.

## Rationale

This amendment is necessary to have correct punctuation in this regulation.

- **Amend subsection (a)(3)(C)**

Change the period into a semicolon.

## Purpose

The purpose of amending subsection (a)(3)(C) is to make a minor, non-substantive change to correct the punctuation of this subsection. The three elements in subsection (a)(3) are separated by commas. As the final element in the series, subsection (a)(3)(C) should be followed by a semicolon because subsection (a)(3) is part of a greater series of items that are separated by semicolons.

## Rationale

This amendment is necessary to have correct punctuation in this regulation.

- **Amend subsection (a)(4)**

Change “is” to “shall be.”

## Purpose

The purpose of amending subsection (a)(4) is to make a minor, non-substantive change to clarify the language and to use consistent phrasing for all of the items under subsection (a). The consistent use of “shall” is clearer and reads better than the current phrasing used in some of the subsections.

## Rationale

This amendment is necessary to have clear, consistent language in this regulation.

- **Amend subsection (a)(5)**

Change “is to” to “shall.”

### Purpose

The purpose of amending subsection (a)(5) is to make a minor, non-substantive change to clarify the language and to use consistent phrasing for all of the items under subsection (a). The consistent use of “shall” is clearer and reads better than the current phrasing used in some of the subsections.

### Rationale

This amendment is necessary to have clear, consistent language in this regulation.

- **Amend subsection (a)(6)**

Change “is to” to “shall” and uncapitalize “Symbols.”

### Purpose

The purpose of amending subsection (a)(6) is to make a minor, non-substantive change to clarify the language and to use consistent phrasing for all of the items under subsection (a). The consistent use of “shall” is clearer and reads better than the current phrasing used in some of the subsections. The amendments will also make a minor, non-substantive change to make “Symbols” all lowercase because it does not need to be capitalized.

### Rationale

This amendment is necessary to have clear, consistent, and accurate language in this regulation.

- **Amend subsection (a)(7)**

Change “to” to “shall.”

### Purpose

The purpose of amending subsection (a)(7) is to make a minor, non-substantive change to clarify the language and to use consistent phrasing for all of the items under subsection (a). The consistent use of “shall” is clearer and reads better than the current phrasing used in some of the subsections.

### Rationale

This amendment is necessary to have clear, consistent language in this regulation.

- **Amend subsection (a)(8)**

Change the first “to” to “shall” and change the second “to” to “beginning at.”

Purpose

The purpose of amending subsection (a)(8) is to make minor, non-substantive changes to clarify the language and to use consistent phrasing for all of the items under subsection (a). The consistent use of “shall” is clearer and reads better than the current phrasing used in some of the subsections. The use of “beginning at” in relation to the carry-over colloquy makes the sentence read better.

Rationale

This amendment is necessary to have clear, consistent language in this regulation.

- **Amend subsection (a)(9)**

Change the first “to” to “shall,” delete the second “to,” and add “ning” to the second “begin” to change “begin” to “beginning.”

Purpose

The purpose of amending subsection (a)(9) is to make a minor, non-substantive change to clarify the language and to use consistent phrasing for all of the items under subsection (a). The consistent use of “shall” is clearer and reads better than the current phrasing used in some of the subsections. The use of “beginning” in relation to the carry-over lines makes the sentence read better.

Rationale

This amendment is necessary to have clear, consistent language in this regulation.

- **Amend subsection (a)(10)**

Delete “and” at the end of the sentence.

Purpose

The purpose of amending subsection (a)(10) is to make a minor, non-substantive change to correct the language because one more item is being added to the series of items under subsection (a); therefore, “and” is being moved to the end of the next item.

Rationale

This amendment is necessary to have accurate language in this regulation.

- **Amend subsection (a)(11)**

Change the period into a semicolon and add “and” at the end of the sentence.

Purpose

The purpose of amending subsection (a)(11) is to make minor, non-substantive changes to correct the punctuation and language because one more item is being added to the series of items under subsection (a); therefore, the punctuation is being corrected and “and” is being moved from the end of subsection (a)(10) to the end of this item.

Rationale

This amendment is necessary to have correct punctuation and accurate language in this regulation.

- **Add subsection (a)(12)**

Add a new subsection (a)(12) regarding a full text-search capable electronic format.

Purpose

The purpose of adding subsection (a)(12) is to add a requirement that certified court reporters shall offer transcript text in a full text-search capable format, if requested. Court reporters must provide the transcripts to the parties of the legal proceeding, including any court, party, or person entitled to the transcript. CCP section 271 requires official court reporters to deliver transcripts in electronic form, in compliance with the California Rules of Court, unless requested in paper form. Subdivision (d) of California Rules of Court rule 8.144 requires, in part, that reporter’s transcripts that are delivered in electronic form must be in “full text-searchable PDF (portable document format) or other searchable format approved by the court.”

The transcript format standards in CCR section 2473 apply when there are no other transcript format guidelines that have been established within a jurisdiction. Transcript formats set forth by state or local rules of court or adopted by the jurisdiction will supersede when they are present.

Since both CCP section 271 and California Rules of Court rule 8.144 require court reporters to provide transcripts in electronic form that is a full text-searchable PDF or other approved searchable format, the Board determined that it is appropriate that a comparable requirement become part of the minimum transcript format standards that court reporters must follow under all other situations that are not directly covered by CCP section 271 or California Rules of Court rule 8.144.

This addition to CCR section 2473 will help ensure that the minimum transcript format standards for certified court reporters are up to date and compatible with requirements elsewhere in California law.

### Rationale

This amendment is necessary to be up to date and compatible with other California law.

- **Amend Authority Note**

Add a comma after “8008” in the Authority Note.

### Purpose

The purpose of amending the Authority Note is to have proper punctuation.

### Rationale

This amendment is necessary to have proper punctuation for this regulation.

### Underlying Data:

CRB relies upon the following technical, theoretical, or empirical studies, reports, and/or documents for this proposal:

- California Rules of Court Rule 8.144
- November 20, 2020, Board Meeting Materials Excerpts – Agenda Item 9.3.1
- November 20, 2020, Board Meeting Minutes Excerpts
- April 16, 2021, Board Meeting Materials Excerpts – Agenda Item 7.3
- April 16, 2021, Board Meeting Minutes Excerpts – Agenda Item 7.3
- August 20, 2021, Board Meeting Materials Excerpts – Agenda Item 7.3
- August 20, 2021, Board Meeting Minutes Excerpts
- January 26, 2022, Board Meeting Materials Excerpts – Agenda Item 7.1
- January 26, 2022, Board Meeting Minutes Excerpts
- September 1, 2023, Board Meeting Materials Excerpts – Agenda Item 8.2
- Draft September 1, 2023, Board Meeting Minutes Excerpts

### Business Impact:

The Board has made the initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the inability of California businesses to compete with businesses in other states. This initial determination is based on the following facts/evidence/documents/testimony or other evidence.

CRB has been licensing certified shorthand reporters since 1951 and will continue to do so. The proposed regulations are intended to relocate a requirement that the Board notify examinees of their examination results, rescind examinees' permission to inspect their examination transcripts and a copy of the Board's official transcripts, rescind examinees' ability to request reconsideration of their examination results, establish a new minimum transcript format standard that the text be offered in a full text-search capable electronic format, if requested, and to make other minor, technical non-substantive changes to address punctuation and grammar.

The Board has been issuing an average of 40 licenses per year in recent years and does not anticipate an increase or decrease in the number of applications for licensure based on the proposed regulatory changes.

### **Economic Impact Assessment:**

The Board has determined that this regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because CRB has been licensing certified shorthand reporters since 1951 and will continue to do so. The proposed regulations are intended to relocate a requirement that the Board notify examinees of their examination results, rescind examinees' permission to inspect their examination transcripts and a copy of the Board's official transcripts, rescind examinees' ability to request reconsideration of their examination results, establish a new minimum transcript format standard that the text be offered in a full text-search capable electronic format, if requested, and to make other minor, technical non-substantive changes to address punctuation and grammar.

The proposed regulation will have no impact on the amount of work that is available for certified shorthand reporters or on the demand for certified shorthand reporter services; therefore, it will not create new or eliminate jobs within California.

- It will not create new business or eliminate existing businesses within the State of California because CRB has been licensing certified shorthand reporters since 1951 and will continue to do so. The proposed regulation will have no impact on the amount of work that is available for certified shorthand reporters or on the demand for certified shorthand reporter services; therefore, it will not create new business or eliminate existing businesses within California.
- It will not affect the expansion of businesses currently doing business within the State of California because CRB has been licensing certified shorthand reporters since 1951 and will continue to do so. The proposed regulations are intended to relocate a requirement that the Board notify examinees of their examination results, rescind examinees' permission to inspect their examination transcripts and a copy of the Board's official transcripts, rescind examinees' ability to



request reconsideration of their examination results, establish a new minimum transcript format standard that the text be offered in a full text-search capable electronic format, if requested, and to make other minor, technical non-substantive changes to address punctuation and grammar.

The proposed regulation will have no impact on the amount of work that is available for certified shorthand reporters or on the demand for certified shorthand reporter services; therefore, it will not affect the expansion of businesses currently doing business within California.

- This regulatory proposal does not affect the health and welfare of California residents because it does not relate to health and welfare.
- This regulatory proposal does not affect worker safety because it does not involve worker safety.
- This regulatory proposal does not affect the state's environment because it does not involve the environment.

#### **Specific Technologies or Equipment:**

This regulation does not mandate the use of specific technologies or equipment.

#### **Consideration of Alternatives:**

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

No such alternatives have been proposed or discussed. Although CRB did not consider any other alternatives, CRB welcomes comments from the public.

#### **Description of Reasonable Alternatives to the Regulation that Would Lessen any Adverse Impact on Small Business:**

No reasonable alternative to the regulatory proposal would lessen any adverse impact on small business.

No such alternatives have been proposed; however, CRB welcomes comments from the public.