

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 6504, 6507, 7501, and 7504 of the Education Law

Section 71.3 of the Regulations of the Commissioner of Education is amended, effective July 27, 2016, as follows:

Section 71.3 Licensing examinations.

[(a) Content. The examination shall consist of five parts:

(1) Transcription test. Candidates will be required to write, from dictation, in manual shorthand or on a shorthand writing machine, such court proceedings as may be selected by the State Board for Certified Shorthand Reporting for seven minutes, at speeds varying from 175 to 225 words a minute and to transcribe all or a portion of such dictation.

(2) Oral test. Candidates will be required to read aloud, within a specified time, such portion of such dictated matter as the examiners may specify.

(3) Medical reporting test. Candidates will be required to write, from dictation, court testimony on a medical subject given at a rate of 175 words a minute for five minutes and to transcribe all or a portion of such dictation. Candidates may use a medical dictionary for assistance in this test.

(4) Legal terminology and procedure test. Written questions will be asked on legal terminology and procedures, rules of evidence and court structure.

(5) English test. Written questions will be asked about grammar, word usage, vocabulary and punctuation.

(b) Passing score. To qualify for licensure, a candidate shall pass all parts of the examination. The passing score shall be 95.0 for the transcription test, the oral test and the medical reporting test. The passing score shall be 75.0 on the legal and English tests. Candidates will be rated on the accuracy of the transcription, on their speed and

accuracy in reading notes orally, and on the spelling, punctuation and arrangement of the transcripts. Candidates shall pass the transcription and oral tests at a single examination before the other tests will be scored.

(c) Retention of credit. A candidate who passes both the transcription and oral tests at a single examination shall retain credit for those tests and any other parts passed at that examination or at subsequent examinations.

(d) Creation of transcript. Transcripts created during the examination shall be on paper 8 1/2 inches by 11 inches and all transcripts shall be double-spaced. Candidates may write shorthand with either pen or pencil, or may use shorthand writing machines, and shall transcribe their shorthand notes on a typewriter or on transcription equipment which is acceptable to the State Board for Certified Shorthand Reporting based upon a determination that such transcription equipment uses technology and/or software in common usage in the practice as a certified shorthand reporter and would not provide the candidate with an unfair advantage over other candidates who would use during the examination transcription equipment that uses technology and/or software in common usage in the practice as a certified shorthand reporter. Transcription of shorthand notes in longhand shall be acceptable only in the event that a candidate's transcription equipment fails or malfunctions during the administration of the examination.

(e) Materials. Candidates shall be responsible for bringing to the examination materials that they plan to use during the examination, which shall include any of the following materials: notepaper or notebooks, stationery, medical dictionary, shorthand writing machines, pens, pencils, typewriters and transcription equipment.]

The department may accept a passing score on an examination determined by the State Board for Certified Shorthand Reporting to be acceptable for licensure as a certified shorthand reporter.