

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

**A. GENERAL INFORMATION**

1. Date

2-1-16

2. Department

CA Student Aid Commission

3. Organizational Placement (Division/Branch/Office Name)

Executive Office

4. CEA Position Title

Chief Deputy Director/Chief Legal Officer

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

Reporting to the Executive Director of the California Student Aid Commission (CSAC), the Chief Deputy Director/Chief Legal Officer directs the day-to-day administration of the state-funded financial aid programs, operations and legal functions of CSAC; oversees and directs the formulation, implementation, and evaluation of departmental policy, and evaluation of state and federal financial aid policies; oversees and directs legal advice, analysis, and the development and implementation of legal policy and strategy; provides policy, legal and operational counsel and support to the Commission Chair, Commissioners and the Executive Director; and represents the Executive Director at state, federal and other external organizations. The Chief Deputy Director is the principal policy, and legal policy and strategy advisor, to the Executive Director, and assumes the responsibilities of the Executive Director in his/her absence. The Chief Deputy Director/Chief Legal Officer oversees and directs all CSAC division chiefs/deputy directors, including program, legal and audits, administration, information technology, and government relations.

The proposed position description is responsible for the entirety of the department's mission and purpose of administering state-funded and federally funded financial aid programs and informing California students and families of that financial aid, to ensure equality of opportunity in access and success in higher education.

6. Reports to: (Class Title/Level)

Executive Director

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

## B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

Reporting to the Executive Director, the Chief Deputy Director/Chief Legal Officer (CDD/CLO) oversees and directs all CSAC functions, including legal and audits, programs, administration, information technology, and government relations and communications, in the day-to-day administration and operations, and policy formulation and implementation of CSAC state-funded financial aid programs. This includes all legal, policy and administrative functions, including all programmatic issues and priorities, information technology, organizational structure, budget development, information security, personnel, and priority setting for limited resources to resolve multiple organizational demands.

The CDD/CLO also:

- oversees and provides direction and guidance to all CSAC CEA division chiefs/deputy directors, including legal and audits (General Counsel/Administrative Advisor II, CEA), programs (CEA B), information technology (CEA B) and chief of administration (SSM III);
- oversees and directs all CSAC divisions in formulating, implementing, and evaluating CSAC policy, and evaluating state and federal financial aid policies within CSAC's jurisdiction and authority;
- oversees legal advising and counseling of the Executive Director, the Chair of the Commission and Commissioners, and the development and implementation of legal policy and strategy;
- provides policy, political and operational counsel and support to the Commission Chair, Commissioners and Executive Director;
- oversees and directs the planning and preparation for Commission meetings and the research, development and presentation of agenda topics, including policy recommendations to the Commission;
- serves as liaison to the most sensitive and confidential Commission standing committee – the Personnel, Evaluation and Nominations Committee – which oversees the annual evaluation of the Executive Director.
- employs, manages, directs, and motivates CSAC employees in accordance with CSAC objectives, and within state personnel policies and regulations;
- provides executive level review and resolution of personnel issues and complaints;
- develops and maintains effective relations with the Governor's Office, legislature, state and federal governmental agencies, higher education segments, and constituent financial aid and outreach organizations
- assumes the responsibilities of the Executive Director in his/her absence;

**B. SUMMARY OF REQUEST (continued)**

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The CDD/CLO responsibility constitutes the entirety of the department's mission, including overseeing the CSAC organization and operations, and is at the 1st organizational level. The CDD/CLO serves as chief policy and chief legal policy and strategy advisor to the Executive Director, and directly oversees the development and implementation of policies and procedures for operating a California state government agency, including planning, developing, implementing, administering and assessing Commission policies, programs, procedures, legal policy and strategy. The CDD/CLO ensures that policy development and development and implementation of operational matters incorporate necessary and applicable analysis of legal issues and policy and political concerns and implications of administrative or legislative actions.

The CDD/CLO directly oversees the work of CSAC division chiefs/deputy directors, including the General Counsel, and senior managers of programs, providing guidance and direction to them in the performance of their duties and operations of their divisions. These divisions/ programs include Program Administration and Services Division; Legal and Audit Services; Administration and External Affairs; Information Technology Services; and government relations. In the absence of the Executive Director, the incumbent serves as acting executive director of CSAC.

All of the above encompasses CSAC's primary mission and is fundamental and critical to achieving the department's goals.

**B. SUMMARY OF REQUEST (continued)**

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

On May 1, 2015, CalHR approved a CEA level change from "B" to "C" for the CDD to better align the position's significant, high-level policy responsibilities to the CEA criteria. The change was one of several in the CEA class that the former CSAC Executive Director had requested to align the CEA senior management classifications with actual responsibilities. Other CEA positions were changed from "A" to "B." The Administrative Advisor II, CEA for the General Counsel was not changed.

However, it was not identified at that time that the re-classification of the CDD to CEA C – Legal was possible or necessary. CSAC's new Executive Director took office in January 2016 and evaluated the structure and responsibilities of the CSAC leadership team. The Executive Director determined that increasing the CDD's responsibilities to include Chief Legal Officer, ultimately responsible and accountable for the overall legal function at CSAC, including legal analysis, options, advice, policy and strategy, was necessary, and that seeking to align the newly designated CDD/CLO position to the CEA C – Legal, was both appropriate and necessary.

The incumbent CDD is a licensed attorney, and has previously provided ad hoc legal advice, analysis and expertise to the Executive Director and Commission.

The expansion of the CDD's responsibilities to include Chief Legal Officer formally adds the ultimate accountability for legal analysis, options, advice and strategy. The CDD/CLO will now oversee all of CSAC's operations, legal included, and development and implementation of policies and procedures for the entire organization. In addition to the other CSAC division chiefs/deputy directors, the CDD/CLO will oversee and provide direction and guidance to the General Counsel/Administrative Advisor CEA, the only other attorney at CSAC, who does legal work and provides legal advice to CSAC staff and management, the Executive Director and the Commission, and manages the CSAC audit unit.

### **C. ROLE IN POLICY INFLUENCE**

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

Legal Policy - the CDD/CLO will develop and oversee the legal interpretation of state and federal statutes and regulations that CSAC will follow in the administration of CSAC's financial aid programs affecting students and higher education institutions statewide.

Administration Policy - the CDD/CLO will establish policy priorities that identify the appropriate allocation of limited department program resources for serving students and families throughout the state.

Budget Policy - the CDD/CLO will oversee the development of the CSAC's annual operating budget, establishing policy priorities for budget planning and resource allocation for CSAC's statewide programs.

Information Technology Policy - the CDD/CLO will develop policy priorities for the allocation of IT resources affecting all the statewide programs administered by CSAC, particularly information security.

Legislative Policy - the CDD/CLO will oversee the development of policy proposals for legislative action affecting the statewide programs administered by CSAC.

These policy responsibilities are significant. CSAC is charged by the State to reach all graduating high school students and current college students throughout California. In the furtherance of its responsibilities, CSAC offered Cal Grants to over 450,000 students in 2014-15, and distributed over \$1.8 billion in Cal Grant funds. It reached an additional 82,000 students in its administration of the Middle Class Scholarship.

The statewide significance of these policy responsibilities is magnified by CSAC's limited resources, particularly only 120 employees.

**C. ROLE IN POLICY INFLUENCE (continued)**

13. What is the CEA position's scope and nature of decision-making authority?

Reporting to the Executive Director, the CDD/CLO has the authority and responsibility to make policy decisions and day-to-day administrative decisions affecting all aspects of CSAC operations and administration, including legal matters, government relations, communications, information technology and information security, audit and programmatic issues, and identifying and directing analysis of significant policy matters appropriate for consideration by the Executive Director and the Commission.

This decision-making authority extends through the entire CSAC organization, affecting all financial aid programs administered by CSAC.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The CDD/CLO will develop and implement new policy. The CDD/CLO will make policy decisions about the appropriate legal interpretation of new state and federal law and regulations, and will implement those new policies by overseeing changes in CSAC's administration of its program to conform to those new policies and the new laws.

Similarly, the CDD/CLO will develop and implement new policy through decisions allocating program, IT and budget resources and in response to issues raised externally, such as legislation or acts by colleges, high schools, or individuals affected by CSAC programs, and internally by CSAC staff.