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
   January 27, 2022

2. Department
   California Privacy Protection Agency

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

4. CEA Position Title
   Deputy Director of Public Affairs

5. Summary of proposed position description and how it relates to the program's mission or purpose.
   (2-3 sentences)
   The California Privacy Rights Act of 2020 (CPRA) charges the California Privacy Protection Agency (CPPA) with protecting Californians' privacy rights. The CPPA’s responsibilities include: 1) rulemaking in a highly complicated, technical, sometimes-contested, and nuanced area; 2) supporting awareness across California’s diverse population on issues related to privacy and data security, including the new rights provided to them by the law; and 3) preparing for meaningful administrative enforcement of those rights. The CPRA directs the CPPA to "promote public awareness and understanding of the risks, rules, responsibilities, safeguards, and rights in relation to the collection, use, sale and disclosure of personal information, including the rights of minors with respect to their own information, and provide a public report summarizing the risk assessments filed with the Agency." Additionally, 1798.199.40(f) states that CPPA will “Provide guidance to businesses regarding their duties and responsibilities under this title.” Under administrative direction of the Deputy Executive Director, the Deputy Director of Public Affairs (DDPA) will provide critical subject matter expertise and direction to develop and implement policies for public education, outreach, media relations, writing, content creation, and communications. The DDPA will supervise the Agency’s primary spokesperson and be responsible for the developing and implementing the agency’s comprehensive communication policy.

6. Reports to: (Class Title/Level)
   Deputy 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.

Under the administrative direction of the Deputy Executive Director, the DDPA, provides leadership and policy direction for the activities of the Public Affairs Division, including overseeing the External Affairs and Communications branches. The incumbent has full responsibility for the development and implementation of departmental policy for public education, outreach, media relations, writing, content creation, and communications.

The DDPA will oversee the Agency’s External Affairs Office, tasked with public awareness and educational efforts required by § 1798.199.140(d)-(f), and for the overall communications and outreach activities of the Agency with the public, media, and businesses. This position will be committed to educating and raising awareness of privacy and data security for the broad and the diverse communities of California including vulnerable and marginalized communities which often lack the resources necessary to overcome the digital divide.

The DDPA will also oversee the agency’s Communications Office in developing the agency’s communications strategy. This will include supervising the agency spokesperson and providing policy direction on media relations throughout CPPA. They will guide the Communications Office in developing the communication strategies regarding CPPA’s services, programs, and policies to the local, state, and national news media; coordinate with managers on their media response, and provide official media relations training; develop major talking points for managers and administration officials to use with media and stakeholders; and the coordination of information for dissemination to the public.

The DDPA will also coordinate with the Legislative Affairs Division to review proposed legislation and its impact on the agency’s mission in order to make recommendations for public responses to the Executive Director and Executive Deputy Director.
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: Public Affairs is fundamental to the CPPA’s ability to fulfill its core responsibilities. First, the CPRA § 1798.199.140(d)-(f) charges the Agency with:

(d) promoting public awareness and understanding of the risks, rules, responsibilities, safeguards, and rights in relation to the collection, use, sale and disclosure of personal information, including the rights of minors with respect to their own information, and providing public reports summarizing the risk assessments filed with the Agency;
(e) providing guidance to consumers regarding their rights under the law;
(f) providing guidance to businesses regarding their responsibilities under the law;

Second, the CPRA § 1798.185(a) instructs the Agency to “solicit broad public participation and adopt regulations to further the purposes of this title” in some 22 separate subject areas (CPRA § 1798.185(a)(1-22). As such, the CPPA also requires a robust public affairs program to support its critical rulemaking function. This need is immediate as the CPRA requires that timeline for adopting final regulations shall be July 1, 2022 (CRPA § 1798.185(d)). Therefore, it is crucial for the agency to have the leadership to adequately engage with Californian residents in order to better understand their privacy-related needs and experiences and interact with the agency's rulemaking activities.
11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The CPPA is a newly established agency created by the California Privacy Rights Act of 2020 (CPRA). The CPRA directs the CPPA to "promote public awareness and understanding of the risks, rules, responsibilities, safeguards, and rights in relation to the collection, use, sale and disclosure of personal information, including the rights of minors with respect to their own information, and provide a public report summarizing the risk assessments filed with the Agency." Additionally, 1798.199.40(f) states that CPPA will “Provide guidance to businesses regarding their duties and responsibilities under this title.”

The DDPA is essential in ensuring CPPA has the leadership and staffing to enable the CPPA to deliver its statutorily required programs and services.
**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.

As a key member of the CPPA’s executive management team, the DDPA has a significant role in the development, implementation, and evaluation of the CPPA’s policies, procedures, and program direction pertaining to the CPPA’s overall mission. The Agency is responsible for the administrative implementation and enforcement of the nation’s first comprehensive consumer privacy law. The CPRA directs the Agency to fulfill a wide variety of responsibilities involving complex and constantly changing business, social, and technological issues. (Civil Code, § 1798.199.140(a)-(k).)

Specifics include, but are not limited to:

(d) promoting public awareness and understanding of the risks, rules, responsibilities, safeguards, and rights in relation to the collection, use, sale and disclosure of personal information, including the rights of minors with respect to their own information, and providing public reports summarizing the risk assessments filed with the Agency;

(e) providing guidance to consumers regarding their rights under the law;

(f) providing guidance to businesses regarding their responsibilities under the law;

The DDPA will be responsible for the oversight and key decisions of policy for internal and external communications. This includes:

**National Policy Privacy and Data Security-** The agency’s policies in response to emerging public debates on hotly contested topics such as the regulation of privacy, automated decision making, and data security. This will include an assessment of the discourse to develop the agency’s overall approach and response.

**Agency and Strategic Policy-** The DDPA will also oversee the overall agency strategic approach to fulfilling its outreach, engagement, public, and business engagement needs. This will require development of the overall policy for how to approach these needs, as well as the individual policy for the specific areas. For example, what issue areas and subjects the agency should first tackle, which are the important equities to consider, and how to most effectively engage those stakeholders.

**Substantive Policy Recommendations to Consumers -** The DDPA will also have to have a solid understanding of the subject matter areas in order to oversee the specific policies the agency recommends, including guidance to California consumers on how to operationalize their privacy rights.

**Substantive Policy Recommendations to Industry-** Similarly, the DDPA will need a deep understanding of industry practices and needs in order to oversee the specific policies the agency recommends with regards to how California businesses should satisfy their obligations under the law.

Engaging in complex, time-sensitive rulemaking activities that require communication with California consumers, communities, and businesses in order to understand their needs.
### C. ROLE IN POLICY INFLUENCE (continued)

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

The CPPA is required to "promote public awareness and understanding of the risks, rules, responsibilities, safeguards, and rights in relation to the collection, use, sale and disclosure of personal information, including the rights of minors with respect to their own information, and provide a public report summarizing the risk assessments filed with the Agency" as required by statute.

The DDPA will be responsible for overseeing and directing the specific policy strategy, substance, and budget for Public Affairs Division. Specifically, the DDPA has full responsibility for the development and implementation of departmental policy for public education, outreach, media relations, writing, content creation, and communications.

In addition, they will guide the Communications Office in developing the communication strategies regarding CPPA's services, programs, and policies to the local, state, and national news media; coordinate with managers on their media response and provide official media relations training; develop major talking points for managers and administration officials to use with media and stakeholders; and the coordination of information for dissemination to the public.

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

Given that CPPA is a new agency, the DDPA will be developing public affairs policy and procedures for the entire agency. The DDPA will be interpreting its obligations under the CPRA, including directing the Agency’s Public and External Affairs budget and directly accountable to the Deputy Executive Director. They will lead the efforts to ensure policies and guidelines are compliant with existing Government Codes and Civil Service laws, rules, and regulations. Policy development and program implementation are essential to shape the future success of the CPPA.