

## CALIFORNIA PRIVACY PROTECTION AGENCY



### California Privacy Protection Agency Exempt Position Duty Statement

<b>Exempt Employee's Name</b>	
<b>Classification Title</b> Executive Director	<b>Name of Agency</b> California Privacy Protection Agency
<b>Exempt Level / Salary Range</b> E/ \$11,351 - \$14,793	<b>Geographic Location</b>
<b>Position Number</b> 411-100-8108-910	<b>Effective Date of Appointment</b>

#### **Scope of Regulation:**

The California Privacy Protection Agency (Agency) was established by voters in November 2020 when they passed Proposition 24, the California Privacy Rights Act (CPRA), which amends and extends the California Consumer Privacy Act (CCPA). The Agency is directed by the California Privacy Protection Agency Board (Board), and is charged with protecting the fundamental privacy rights of natural persons with respect to the use of their personal information by implementing the CCPA. (*Civil Code, § 1798.199.10(a)*); *Civil Code, § 1798.199.40(c)*.) The CPRA directs the Agency to engage in rulemaking, enforcement, public education, and other activities to implement and enforce the CCPA, with the goal of strengthening consumer privacy, while giving attention to the impact on business and innovation. (*Civil Code, § 1798.199.40, CPRA, § 3(C)(1)*.)

#### **Authority for Position:**

The CPRA mandates that the Board "shall appoint an executive director who shall act in accordance with agency policies and regulations and with applicable law." (*Civil Code, § 1798.199.30*.)

#### **Authority of the Executive Director:**

The CPRA vests the Agency with full administrative power, authority, and jurisdiction to implement and enforce the CCPA, via governance by the Board. (*Civil Code, § 1798.199.10(a)*.) The Board "may delegate authority to . . . the executive director to act in the name of the agency between meetings of the agency, except with respect to resolution of enforcement actions and rulemaking authority." (*Civil Code, § 1798.199.35*.) The Executive Director is delegated by the Board the responsibility and authority for the day-to-day operations and activities of the Agency, in order to oversee the development and interpretation of Board policy to ensure that the Agency's responsibilities, goals and objectives are accomplished.

#### **General Statement:**

The Executive Director is the principal staff officer of the Agency. As an appointee of the Board, the Executive Director will serve at the pleasure of the Board and perform duties as assigned by the Board. Under the direction of the Board, the Executive Director is delegated the authority to oversee daily operations and activities of the Agency and is responsible for, but not limited to:

**A. Specific Duties [Essential (E) Functions]:**

**(E) Fulfills the Agency's statutory responsibilities and mission as directed by the Board**

Ensures that the Agency's statutory responsibilities, and its high-level policies, goals, and objectives as promulgated by the Board, are accomplished.

Assists and advises the Board on the formulation of Agency policy and participates in the activation of Agency mission, goals, and objectives. Is responsible for understanding, advocating, and complying with Agency policies, goals, and objectives as identified and promulgated by the Board. Ensures the development, ongoing review, and implementation of the Agency's mission, goals, and objectives.

Consults with and secures advice to the Board on the complex legal, regulatory, technical, social, and political issues involved in implementing the Agency's statutory mission and responsibilities. Works with the Board, Agency staff counsel, and stakeholders to develop necessary and appropriate regulations, legislative requests, public education, and policies.

Confers regularly with the Board chairperson. Coordinates and ensures the execution of all Board and committee meetings, develops Board and committee meeting agendas in consultation with the Board chairperson and Board members, and acts as Agency spokesperson at meetings, hearings, and other venues as delegated by the Board.

As designated by the Board, represents the Agency to the Governor's Office; Office of the Attorney General; Legislature; other state, federal, and international government bodies; stakeholders in matters under the Agency's jurisdiction; and the media. Participates in and makes presentations in policy, regulatory, and other forums.

Provides the Board with clear and accurate reports of meetings, Agency activities, and operations. Keeps the Board informed of developments relevant to the Agency's jurisdiction and responsibilities, and of the progress of Agency programs.

**(E) Develops, manages, and administers the operation of the Agency**

Is responsible for oversight and general direction of the day-to-day operations of the Agency. The inaugural Executive Director, in consultation with and at the direction of the Board, is responsible for establishing an appropriate organizational structure for the Agency consistent with the Agency's statutory responsibilities, Board policies, and civil service laws. The inaugural Executive Director will have substantial recruitment and hiring responsibilities.

With direction from the Board, plans, directs, organizes, and oversees the Agency's activities to administer, implement, and enforce the California Consumer Privacy Act, including, without limitation: rulemaking; investigation and enforcement; promoting public awareness and understanding; providing guidance to consumer and businesses; cooperating with other agencies; engaging in grantmaking; monitoring relevant developments related to the protection of personal information; and other activities of the Agency.

Makes recommendations to the Board and oversees the preparation of policies and directions for Agency departments. Plans, organizes, and directs the work of Agency staff. Determines and sets policy on procedural and organizational matters. Reviews Agency departments and programs for consistency with established policy.

Is responsible for all administrative and fiscal functions of the Agency, including ensuring compliance with all legal and regulatory requirements. This includes responsibility for a budget of approximately ten million dollars (\$10,000,000) per fiscal year.

**B. Supervision Received**

The Executive Director reports to, and takes direction from, the Board.

**C. Supervision Exercised**

The Executive Director is delegated the authority by the Board to provide leadership and oversight for all Agency activities. The Executive Director is responsible for overseeing Agency resources and staff. The Executive Director will work with the Board to establish an appropriate organizational structure, but is expected to directly supervise the Deputy Director of Administration and other department heads, and to indirectly supervise all Agency civil service staff.

**D. Administrative Responsibility**

The Executive Director is responsible for all administrative and fiscal functions of the Agency, including ensuring compliance with all legal and regulatory requirements, and managing the Agency's budget. The Executive Director directs the development of reports by the Board and provided to the Governor, the State Legislature, and the public concerning Agency activities.

**E. Personal Contacts**

The Executive Director has regular and continuous contact with the chairperson and other members of the Board and Agency staff; frequent contact with the Attorney General's Office, and other state agencies necessary to fulfilling the Agency's responsibilities; regular contact with the Governor's Office, the Legislature, Agency stakeholders, and the media; and contact with other legal bodies and regulatory agencies with jurisdiction over privacy and data processing.

**F. Functional Requirements**

No specific physical requirements. As an exempt employee, the incumbent may work in excess of 40 hours per week in an office setting, with artificial light and temperature control. Daily access to and use of a personal computer and telephone is essential. Sitting and standing requirements are consistent with office work. Incumbent must travel occasionally, when necessary, using various means of transportation.

**G. Other Information**

This position requires the incumbent to take an Oath of Office prior to appointment.