



C. E. A.

CAREER EXECUTIVE ASSIGNMENT **EXAMINATION ANNOUNCEMENT**

DEPARTMENT: CALIFORNIA DEPARTMENT OF EDUCATION

POSITION TITLE: Chief Counsel, *C.E.A. Level 2*

MONTHLY SALARY: \$9,631 - \$10,829

FINAL FILING DATE: 02/28/2011 (Application, Resume and Statement of Qualifications must be RECEIVED before 5:00 p.m.)

POSITION DESCRIPTION

By law, the California Department of Education (CDE), independent of the rest of the Executive Branch of California state government, is responsible for the administration of the State K-12 public education system. Its chief administrative officer is the State Superintendent of Public Instruction (SSPI), a statewide elected constitutional officer (California Constitution, Article IX, Section 2). Its policy board is the constitutionally established State Board of Education (California Constitution, Article IX, Section 7). The subject position is the chief legal officer of the California Department of Education. Under administrative direction from the Deputy Superintendent/General Counsel, the Chief Counsel II manages and administers the Legal Division.

The Legal Division is responsible for the Department's legal program, including its litigation. The Chief Counsel II is responsible for the coordination, direction, and priority setting of all litigation and legal workload including all matters handled by all Staff Counsel IV's; directing the application of departmental policy to litigation and administrative hearings; independently determining tactical approaches to such hearings and litigation; directing the preparation of legislation, regulations, legal advisories and opinions; and analyzing federal and state legislation and appellate court decisions for their impact on educational programs throughout California. The Legal Division is responsible for the independent and impartial appraisal of the Department's operations and controls, and its external audit response.

The mission of the Legal Division is to provide timely, thorough legal advice and representation to the Superintendent of Public Instruction, California Department of Education, and State Board of Education, in furtherance of their official duties and public policy goals.

FILING REQUIREMENTS

Applicants must first meet the following filing requirements:

Either I

Must be a civil service employee with permanent civil service status or who previously had permanent status in the State civil service.

Or II

Must be a current or former employee of the Legislature, with two or more consecutive years as defined in Government Code Section 18990.

EQUAL OPPORTUNITY TO ALL REGARDLESS OF RACE, COLOR, CREED, NATIONAL ORIGIN, ANCESTRY, SEX, MARITAL STATUS, DISABILITY, RELIGIOUS OR POLITICAL AFFILIATION, AGE OR SEXUAL ORIENTATION. IT IS AN OBJECTIVE OF THE STATE OF CALIFORNIA TO ACHIEVE A DRUG-FREE STATE WORK PLACE. ANY APPLICANT FOR STATE EMPLOYMENT WILL BE EXPECTED TO BEHAVE IN ACCORDANCE WITH THIS OBJECTIVE BECAUSE THE USE OF ILLEGAL DRUGS IS INCONSISTENT WITH THE LAW OF THE STATE, THE RULES GOVERNING CIVIL SERVICE AND THE SPECIAL TRUST PLACED IN PUBLIC SERVANTS.

Or III

Must be a current or former non-elected exempt employee of the Executive Branch with two or more consecutive years (excluding those positions for which salaries are set by statute) as defined in Government Code Section 18992.

Or IV

Must be a person retired from the United States Military, honorably discharged from active military duty with a service-connected disability, or honorably discharged from active duty as defined in Government Code Section 18991.

IN ADDITION, APPLICANTS MUST MEET THE FOLLOWING MINIMUM QUALIFICATIONS

Membership in the State Bar of California. (Applicants must have active membership in the State Bar before they will be eligible for appointment.)

And

One year of experience in the California state service performing legal duties* at a level of responsibility equivalent to Assistant Chief Counsel.

OR II

Two years of experience in the California state service performing legal duties* at a level of responsibility equivalent to Staff Counsel, Range D; and current employment in a class at a level equivalent to that of Senior Staff Counsel (Specialist) or (Supervisor).

OR III

One year of experience in the California state service performing legal duties* at a level of responsibility equivalent to Senior Staff Counsel (Specialist) or (Supervisor).

OR IV

Broad and extensive experience (more than five years) in the practice of law*. (Experience in California state service applied towards this requirement must include the same number of years of qualifying experience as required in Patterns I, II, or III above performing the duties of a class at a level of responsibility equivalent to that described in Patterns I, II, or III.)

*Experience in the “practice of law” or “performing legal duties” is defined as only that legal experience acquired after admission to the Bar.

Note: Staff Counsel IV is at a level of responsibility equivalent to that of Senior Staff Counsel (Specialist) or (Supervisor).

In addition, applicants must satisfy the following minimum qualifications:

Applicants must demonstrate the ability to perform to high administrative and policy-influencing functions effectively. Such overall ability requires possession of the following more specific knowledge and abilities:

- a. Knowledge of legal principles and their applications; legal research methods, court procedures, rules of evidence and procedure; administrative law and the conduct of proceedings before administrative bodies; provisions of laws and Government Code sections administered or enforced; principles of public administration, personnel management and supervision; and a managers; techniques of organizing and motivating groups; program development and evaluation; methods of administrative problem solving; principles and practices of policy formulation and development; personnel management techniques; the strategies of Equal Employment Opportunities.
- b. Ability to analyze legal principles and precedents and apply them to complex legal and administrative problems; present statements of fact, law and argument clearly and logically in written form; draft opinions, pleadings, rulings, regulations and legislation; hold hearings and independently present difficult and complex cases in court; plan, organize, and direct the work of a staff of attorneys; ensure Equal Employment Opportunities.

The above knowledge and abilities are expected to be obtained from broad administrative or program manager experience with substantial participation in the formulation, operation and/or evaluation of program policies. (Experience may have been paid or volunteer, in State service, other government settings or in a private organization.)

EXAMINATION INFORMATION

The examination process will consist of an application, resume, and Statement of Qualifications evaluation. The Statement of Qualifications will be used to evaluate your education and experience as it relates to the "Desirable Qualifications" listed on page 3, and may also serve as documentation of each candidate's ability to present information clearly and concisely in writing since this is a critical factor to successful job performance. The Statement of Qualifications may be the only basis for your final score and rank on the eligible list. To obtain list eligibility, a passing score of 70% must be obtained. All applicants will be notified of the results.

Interviews may be conducted as part of the examination process. (Hiring interviews may be conducted with only the most qualified candidates if it is determined necessary in order to make a selection.)

DESIRABLE QUALIFICATIONS

In addition to evaluating each candidate's relative ability, as demonstrated by quality and breadth of experience, the following factors will be emphasized in competitively evaluating each candidate's knowledge of:

1. Direct administrative or supervisory experience planning, organizing and directing the work of legal and administrative staff.
2. Staff development, team building and providing technical assistance to a diverse and complex constituency.
3. Familiarity with new federal and state legislation and implementation efforts to date.
4. Familiarity with the role and working practice of local school boards.
5. Expertise in K – 12 legal and legislative issues, litigation and managerial principles.

FILING INSTRUCTIONS

Please submit the following:

- A standard State Application (STD. 678) and a resume that clearly addresses your experience and job titles, names and addresses of employers, periods of employment, and education relevant to the Minimum Qualifications listed on page 2.
- A Statement of Qualifications which describes your experience, knowledge and abilities as they relate to each "Desirable Qualification" factor listed under the "Desirable Qualifications" section of this bulletin. You must provide specific examples for each Desirable Qualification factor. The Desirable Qualification factors must be addressed and numbered in the same order as listed. The Statement of Qualifications should not exceed three pages in length with a minimum font size of 12 pitch.
- **Applications submitted without a Statement of Qualifications will be rejected from this examination.**
- **Statement of Qualifications submitted without specific examples for each Desirable Qualification factor may be given a disqualifying score.**

All interested applicants should submit their Application, Resume and Statement of Qualifications to:

**California Department of Education
Selection Services Office
1430 N Street, Room 1802
Sacramento, CA 95814
Attention: ToShawne Williams**

**APPLICATIONS, RESUMES, AND STATEMENT OF QUALIFICATIONS MUST BE RECEIVED BEFORE
5:00 P.M. ON THE FINAL FILING DATE 02/28/2011.**

SPECIAL TESTING

If you have a disability and need special testing arrangements, mark the appropriate box in Part 2 of the "Examination Application." You will be contacted to make specific arrangements.

GENERAL INFORMATION

If you meet the requirements stated in this bulletin, you may take this examination, which is competitive. Possession of the entrance requirements does not assure a place on the eligible list. Your performance in the examination described on this bulletin will be compared with the performance of others who take this test, and all candidates who pass will be ranked according to their scores.

The DEPARTMENT OF EDUCATION reserves the right to revise the examination plan to better meet the needs of the service if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service law and rules and all competitors will be notified.

General Qualifications: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others.

California Relay Telephone Service for the Deaf or Hearing Impaired:

TDD: 1-800-735-2929

VOICE: 1-800-735-2922

Bulletin Release Date: 02/11/2011