MEMORANDUM

DATE: November 2, 2026

TO: **ALL INTERESTED PARTIES**

FROM: /s/ JOSEPH RUGGIERO
Joseph Ruggiero
Staff Services Manager I (Specialist), Policy and Compliance Review Division

SUBJECT: **CAREER EXECUTIVE ASSIGNMENT (CEA) PROPOSAL PROCESS REGULATORY ACTION EFFECTIVE NOVEMBER 1, 2026**

On February 13, 2026, the State Personnel Board (SPB) announced proposed changes to regulations[1] concerning the Career Executive Assignment (CEA) proposal process and CEA examinations. Following a 45-day public comment period and an April 1, 2026 public hearing, the Board considered comments and revised the proposed text. The Office of Administrative Law filed the final regulations with the Secretary of State on October 6, 2026. The regulations became effective November 1, 2026.

The final regulations are posted on SPB's website. For convenience, this memorandum summarizes the substantive changes and provides implementation guidance for appointing powers, CEA candidates, and other interested parties.

The amendments clarify how CEA positions are proposed and reviewed, including when an opposed proposal must go before the Board. They also clarify examination admission and evaluation requirements, establish standards for examinations conducted in sequential phases, and address access to examination information and notification of appeal rights. The existing 30-calendar-day public notice period for CEA proposals and the competitive nature of CEA examinations remain unchanged.

[1] All regulations referred to in this memorandum pertain to California Code of Regulations, Title 2. Specific sections will be referred to as "Rule."

Summary of Regulatory Changes

Rule 548.5. Creation or Revision of CEA Positions.

Amended Rule 548.5, subdivision (d), clarifies that CalHR must place any opposed CEA proposal on the Board's agenda for hearing, accompanied by CalHR's analysis and recommendation.

The Board has sole discretion to approve or disapprove an opposed proposal. In making that determination, it may consider the appointing power's justification, the duties and scope of the position, any opposition and rebuttal, supporting documentation, and CalHR's analysis and recommendation.

The amendments also clarify that the appointing power's report must explain how the proposed position meets the statutory and regulatory criteria for CEA allocation. CalHR continues to post the notice and report for 30 calendar days and may request additional supporting information. If no timely opposition is submitted, the proposal becomes effective at the close of the notice period without Board action.

Rule 548.40. Competitive Examinations.

Amended Rule 548.40 reorganizes and clarifies the requirements governing CEA examinations, including admission criteria, competitive assessment, scoring and ranking, examination announcements, and appeal rights. It also incorporates examination announcement requirements previously addressed in Rule 548.41.

Because CEA positions vary in their duties and responsibilities, appointing powers must identify the knowledge and abilities essential to each position and establish predetermined, job-related criteria for evaluating candidates. Applicants who meet the established admission criteria must be allowed to compete in the examination. Those criteria must be established in advance and applied consistently.

CEA examinations must remain competitive and designed to fairly assess each candidate's ability to perform the duties of the position. Examination announcements should be broad and inclusive, consistent with Rule 170, subdivision (b), and must identify the evaluation criteria, examination components, and the weight assigned to each component. Candidates must be compared and ranked using those criteria, with successful candidates placed into ranks based on their scores. Limited-scoring examinations remain permissible under subdivision (h).

The amendments also expressly permit examinations conducted in sequential phases, where candidates must pass each phase before advancing to the next. When this approach is used, the examination announcement must describe the examination

components and their weights, clearly identify the phased structure, and justify its use under Government Code section 18930.

Finally, the amendments clarify candidate notification requirements. Each candidate must receive written notice of their final score and ranking. Both candidates who are not admitted to compete and those who participate in the examination must also receive written notice of their appeal rights under Rule 548.49. These rights concern the examination process, not subsequent hiring or appointment decisions.

Rule 548.41. Examination Announcements. [Repealed]

Rule 548.41 has been repealed, with its examination announcement requirements incorporated into Rule 548.40. These include broad and inclusive publicity and disclosure of the evaluation criteria, examination components, and weight assigned to each component. The former provision allowing restricted examination publicity has not been retained.

Rule 548.43. Availability of Information on Examination Method; Written Examinations.

Amended Rule 548.43, subdivision (a), requires appointing powers, upon request from a candidate, CalHR, or the Board, to make available information about the methods used to develop and administer CEA examinations. However, appointing powers may withhold materials from recipients other than CalHR, the Board, or a court of competent jurisdiction if disclosure would compromise examination integrity or security or give a candidate an unfair advantage.

Protected materials may include reusable examination questions, scoring keys, rating guides, and benchmark responses. When withholding materials, the appointing power must identify their nature and explain the reason for withholding them.

Subdivision (b) consolidates the requirements governing written CEA examinations by applying the general civil service examination rules in sections 176 through 190 to scoring, ratings, inspection of examination papers or answer sheets, and appeals. The amendments preserve CalHR's and the Board's access to examination information for oversight purposes without creating a general right to obtain secure testing materials.

Rule 548.52. Written Examinations. [Repealed]

Rule 548.52 has been repealed. The requirements governing written CEA examinations are now addressed in Rule 548.43, subdivision (b), which incorporates the general civil service examination rules in sections 176 through 190.

Rule 548.120.1. Actions to Correct Unlawful CEA Appointments.

Rule 548.120.1 has been amended to remove the parenthetical titles accompanying its cross-references to Rules 243.1 through 243.6. The rule numbers and cross-references remain unchanged. This technical amendment does not affect the procedures or rights governing unlawful CEA appointments.

Practical Implementation Guidance

Appointing powers should review their CEA proposal procedures, examination announcements, evaluation records, and candidate notices to reflect the following changes.

1. **Refer opposed proposals to the Board.** Interested parties may submit written opposition to CalHR during the 30-calendar-day public notice period, with a copy to the appointing power. CalHR must place any opposed proposal on the Board's agenda for hearing. If no timely opposition is submitted, the proposal becomes effective at the close of the notice period without Board action.
2. **Justify proposed CEA positions**. The appointing power's report must explain how the position's duties, responsibilities, and scope satisfy the statutory and regulatory criteria for CEA allocation. The justification should be specific to the proposed position and explain why CEA designation is appropriate, rather than simply describe the position or assert that it qualifies. CalHR may request additional information or supporting documentation.
3. **Establish and announce position-specific examination criteria.** Unlike examinations governed by broad, class wide minimum qualifications, CEA examinations require criteria tailored to the knowledge and abilities essential to each position. Appointing powers must establish these criteria before reviewing applicants and admit those who meet the predetermined requirements. Examination announcements must separately identify the evaluation criteria, examination components, and weight assigned to each component. Any examination conducted in sequential phases must be clearly identified in the announcement and justified under Government Code section 18930, which requires competitive examinations that fairly assess candidates' ability to perform the duties of the position
4. **Provide examination information while protecting secure materials.** Upon request, appointing powers must make available to candidates, CalHR, and SPB information about the methods used to develop and administer CEA examinations.

This includes explaining the types of assessments used and how they evaluate the knowledge and abilities required for the position. However, disclosure does not necessarily extend to secure testing materials, such as reusable examination questions, scoring keys, rating guides, or benchmark responses. These materials may be withheld when disclosure would compromise examination integrity or security or give a candidate an unfair advantage. When withholding materials, appointing powers must identify their nature and explain the reason for withholding them. This withholding authority does not extend to requests from CalHR, SPB, or a court of competent jurisdiction.

5. **Notify candidates of examination results and appeal rights.** Candidates who compete must receive written notice of their final scores and rankings. Both applicants who are not admitted to compete and candidates who participate in the examination must receive written notice of their appeal rights under Rule 548.49. These rights concern the examination process, not subsequent appointment decisions.

The amendments are intended to clarify CEA procedures while preserving competitive, merit-based examinations. Questions concerning implementation should be directed to CalHR or SPB, as appropriate.

To join SPB's mailing list, which will provide notification of proposed regulatory actions, as well as other SPB activities, visit State Personnel Board Mailing List.