



Appeals Committee

Item Number 2 – Open Session

Subject: Approval of Minutes for the November 2, 2023, Appeals Committee Meeting – Open Session – Revised

Presenter(s): Chairperson

Item Type: Consent Action

Date & Time: March 6, 2024 – 0 minutes

Attachment(s): None

PowerPoint(s): None

PROPOSED MINUTES [REVISED]

Teachers' Retirement Board – Appeals Committee Meeting

November 2, 2023

OPEN SESSION

LOCATION: Board Room, 100 Waterfront Place, West Sacramento, CA 95605

COMMITTEE MEMBERS PRESENT

Karen Yamamoto, Chairperson

Sharon Hendricks, Vice Chairperson

Denise Bradford

Ken Tang

Blake Johnson, representing the State Superintendent of Public Instruction, Tony Thurmond

STAFF PRESENT

Brian J. Bartow, General Counsel

Bill Perez, Chief Benefits Officer

Teresa Schilling, Chief Public Affairs Officer

Kirsten Casella, Director, Legal Operations & Enterprise Information Management

Joycelyn Martinez-Wade, Director, Governmental Relations

Lamont King, Deputy General Counsel

Jennifer Yamane, Assistant Chief Counsel
Fred Messerer, Assistant General Counsel
Reina G. Minoya, Assistant General Counsel
Diane Stanton, Director of External Affairs
Kaitlin DuBray, Pension Program Manager III
Jody Cozad, Pension Program Manager II
DeAnna Summers, Legal Operations Manager
Ashley Lopez-Totter, Pension Program Manager I
Meredith Bartles, Plan Design Specialist, Governmental Relations
Taylor Herrlinger, Senior Litigation Counsel
Jovanna Schmidt, Senior Litigation Counsel
John Shipley, Senior Litigation Counsel
Jaismin Kaur, Litigation Counsel
Elena Fewell Howard, Counsel
Christopher Mc Allister, Counsel
Summer L. Harrison, Senior Counsel

OTHERS PRESENT

Jennifer Baker, CalRTA
Ed Foglia, CTA/NEA-Retired
Orval Garrison, CTA/NEA-Retired
Mary Kay Scheid, CTA
Kevin Welch, CTA
Patricia McLain
Chris Waddell, Olson Remcho, LLP (Independent Counsel to the Appeals Committee)

A quorum being present, Chairperson Yamamoto called the Open Session meeting of the Appeals Committee meeting to order at 3:22 p.m.

I. APPROVAL OF COMMITTEE AGENDA (Item 1)

MOTION duly made by Ms. Hendricks, seconded by Mr. Tang, and carried to approve the Committee Agenda.

Members Voting	Aye	Nay	Abstain
Ms. Bradford	X		
Mr. Tang	X		
Mr. Johnson for the State Superintendent of Public Instruction	X		
Chairperson Yamamoto	X		
Sharon Hendricks	X		

II. APPROVAL OF MINUTES FOR THE SEPTEMBER 15, 2023, APPEALS COMMITTEE MEETING OPEN SESSION (Item 2)

MOTION duly made by Ms. Hendricks, seconded by Ms. Bradford, and carried to approve the September 15, 2023, Appeals Committee Meeting Open Session.

Members Voting	Aye	Nay	Abstain
Ms. Bradford	X		
Mr. Tang	X		
Mr. Johnson for the State Superintendent of Public Instruction	X		
Chairperson Yamamoto	X		
Sharon Hendricks	X		

III. CONSIDERATION OF PROPOSED ADMINISTRATIVE DECISION (Item 3)

a. In the Matter of the Retirement Benefits of: Patricia McLain

The committee received a presentation from Mr. Cozad and Ms. Kaur regarding the proposed decision by the administrative law judge In the Matter of the Retirement Benefits of Patricia McLain. Staff recommended the committee adopt the proposed decision, with the technical changes noted on the committee materials.

The committee received a public comment from Ms. McLain who expressed her disagreement with the proposed decision.

The committee discussed creditable compensation under the Teachers’ Retirement Law, retirees and new employment positions.

The committee noted that the technical change noted in number 2, should be corrected to, “On page 2, paragraph 2, lines 5, change “calculate” to “initially pay.”

The committee received a public comment from Ms. McLain, regarding her appeal.

IV. STAFF REPORT (Item 4)

The committee received a presentation from Ms. Minoya concerning upcoming administrative hearings, proposed decisions, and educational items. The committee was also introduced to the new litigation attorneys.

V. REVIEW OF INFORMATION REQUESTS (Item 5)

There were no requests for information by the committee.

VI. OPPORTUNITY FOR STATEMENTS FROM THE PUBLIC (Item 6)

There were no public comments.

RECESS

The Open Session of the committee meeting recessed at 3:36 p.m. and the committee went into Closed Session. The committee reconvened in Open Session at 3:55 p.m.

VII. ANNOUNCEMENT OF ACTION TAKEN ON PROPOSED ADMINISTRATIVE DECISION (Item 11)

a. In the Matter of Retirement Benefits of: Patricia McLain

The committee adopted the proposed decision, with the following technical or other minor changes:

1. On page 2, paragraph 2, line 2, change “is reported” to “can be reported.”

2. On page 2, paragraph 2, line 5, change “calculate” to “initially pay.”

3. On page 17, paragraph 1, line 5, change “In the Matter of: Stanislaus County Office of Education” to “In the Matter of Whether the Stanislaus County Office of Education Incorrectly Reported Compensation to CalSTRS: Stanislaus County Office of Education.”

4. On page 18, paragraph 5, lines 1-2, change “In the Matter of: Barbara Pahre” to “In the Matter of the Statement of Issues Against: Barbara Pahre.”

VIII. ANNOUNCEMENT OF ACTION TAKEN ON IN THE MATTER OF THE APPEAL REGARDING THE FINAL COMPENSATION CALCULATION OF: DOROTHY COLE (Item 12)

The committee voted to issue the decision to reject the appeal of Dorothy Cole, In the Matter of the Appeal Regarding the Final Compensation Calculation of: Dorothy Cole.

ADJOURNMENT

There being no further business to conduct, Chairperson Yamamoto adjourned the Appeals Committee meeting at 3:56 p.m.

Cassandra Lichnock, Chief Executive Officer
And Secretary to the Teachers’ Retirement Board

Karen Yamamoto, Chairperson

Prepared by: Summer L. Harrison, Senior Counsel