



Appeals Committee

Item Number 4 – Open Session

Subject: Review of Committee Charter

Presenter(s): Reina G. Minoya

Item Type: Action

Date & Time: June 14, 2021 – 5 minutes

Attachment(s): Committee Charter

PowerPoint(s): None

PURPOSE

The purpose of this item is to review the Appeals Committee charter, which is contained in the Board Policy Manual.

DISCUSSION/SUMMARY

The Appeals Committee charter was first approved on September 6, 2006, and last revised on January 31, 2020. It details the authority, composition, and responsibilities of the committee.

RECOMMENDATION

Staff recommends two changes to the charter: first, to reflect the change in position title of “Benefits & Services Executive Officer” to “Chief Benefits Officer” and second, to delete the specific section of the Board Policy Manual in which the Policy on Designating Precedential Decisions is located as the section number may change over time. Staff also recommends the committee review its charter and identify any additional changes.

TEACHERS' RETIREMENT BOARD APPEALS COMMITTEE CHARTER

INTRODUCTION

The Appeals Committee has been established in order to provide a dedicated body to hear, deliberate upon, and decide appeals of system determinations pursuant to the Administrative Procedure Act.

AUTHORITY

1. To hear and act finally on all appeals, proposed decisions, and determinations of whether an administrative hearing will be granted pursuant to the applicable provisions of the Education Code and California Code of Regulations. However, at the request of the board chair, any appeal may be removed from the committee prior to being heard, and be brought before the board for determination.
2. To designate all or a part of an administratively adjudicated decision as a Precedential Decision pursuant to the board policy on Designating Precedential Decisions (~~section 7(D)~~) and Government Code section 11425.60.
3. To engage professional services consultants for the purpose of providing relevant training to members of the committee.

Commented [RM1]: Recommend removal of specific section number as Board Policy Manual sections are often updated, necessitating the need to amend the charter accordingly.

COMPOSITION

The committee shall consist of five members.

MEETINGS

The Committee shall meet on an as-needed basis to ensure the timely resolution of appeals, as determined by the committee chair, the assistant general counsel, and the ~~Benefits and Services executive officer~~ Chief Benefits Officer. The committee may hold meetings on dates other than regular board/committee meeting dates to facilitate both the expeditious resolution of appeals and the efficient conduct of regularly scheduled meetings.

Commented [RM2]: Changed to align with new title.

RESPONSIBILITIES

The committee's responsibilities include the following:

1. To hear, deliberate upon, and expeditiously decide appeals of system determinations pursuant to the Administrative Procedure Act.
2. To hear, deliberate upon, and expeditiously decide to designate all or part of an administratively adjudicated decision as a Precedential Decision pursuant to the board policy on Designating Precedential Decisions (~~section 7(D)~~) and Government Code section 11425.60.
3. To work with CalSTRS staff to identify training opportunities.
4. To adhere to the Risk Management Policy established by the board.
5. To review emerging and significant risks specific to the area of responsibility of the Appeals Committee and to report those risks to the board.

Commented [RM3]: Recommend removal of specific section number as Board Policy Manual sections are often updated, necessitating the need to amend the charter accordingly.

*Approved September 6, 2006
Amended June 3, 2009*

Amended April 10, 2013
Amended to delineate Board and Committee responsibility in the oversight of risk on
Amended February 6, 2014
Amended May 10, 2018
Amended January 31, 2020