



Appeals Committee

Item Number 2 – Open Session

Subject: Approval of Minutes of the January 7, 2021, Appeals Committee Meeting
– Open Session

Presenter(s): Chairperson

Item Type: Consent Action

Date & Time: April 2, 2021 – 0 minutes

Attachment(s): None

PowerPoint(s): None

PROPOSED MINUTES

Teachers' Retirement Board – Appeals Committee Meeting

January 7, 2021

OPEN SESSION

LOCATION: Web Conference, Public Comment taken by phone, in accordance with
Executive Order N-29-20 and N-33-20

COMMITTEE MEMBERS PRESENT

Denise Bradford, Chairperson

Sharon Hendricks

Karen Yamamoto

STAFF PRESENT

Brian J. Bartow, General Counsel

Diane Stanton, Acting Public Affairs Executive Officer

Melyssa Adams, Director, Disability and Survivor Benefits

Diane Alsup, Director, Service Retirement

Reina G. Minoya, Assistant General Counsel

Mark Gini, Assistant Director, Service Retirement

Mike Dutil, Supervising Management Auditor

Kaitlin DuBray, Pension Program Manager II

Ashley Lopez-Trotter, Pension Program Manager I

James Lindsay, Senior Counsel

David Walton, Pension Program Manager III

Beth Ruggiero, Pension Program Manager I

Jill Lukins, Assistant General Counsel

Scott Brooks, Senior Counsel

Kati Franck, Senior Counsel

Summer Harrison, Senior Counsel

Ryan Dunlevy, Counsel

Jonathan Lopez, Counsel

Braden Pate, Counsel

Trevor Young, Counsel

Saideh Dadras, Senior Counsel

OTHERS PRESENT

Chris Waddell, Olson Remcho, LLP (Independent Counsel to the Appeals Committee)

Joe Bartell, CTA

Dana Dillon, CTA/NEA-Retired Liaison (former CalSTRS Board Chair)

Phyllis Hall, CTA

Rose Luna, CTA

Orval Garrison, CTA/NEA-R

Leonard Goldberg, CTA/UTLA

Peter Morse, FACCC

Dr. Sandy Keaton, UTLA-R

Jennifer Baker, Murdoch, Walrath & Holmes

Helio Brasil

Chris Lp

A quorum being present, Chairperson Bradford called the Open Session meeting of the Appeals Committee meeting to order at 1:02 p.m.

I. APPROVAL OF COMMITTEE AGENDA (Item 1)

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

Members Voting	Aye	Nay	Abstain
Ms. Hendricks	X		
Ms. Yamamoto	X		
Chairperson Bradford	X		

II. APPROVAL OF MINUTES FOR THE SEPTEMBER 4, 2020, APPEALS COMMITTEE MEETING – OPEN SESSION (Item 2)

MOTION duly made by Ms. Hendricks, seconded by Ms. Yamamoto, and carried to approve the minutes for the September 4, 2020, Appeals Committee meeting – Open Session.

Members Voting	Aye	Nay	Abstain
Ms. Hendricks	X		
Ms. Yamamoto	X		
Chairperson Bradford	X		

III. CONSIDERATION OF PROPOSED ADMINISTRATIVE DECISION (Item 3):

- a. In the Matter of the Retirement Benefits of Marlene Finander

The committee received a presentation from Mr. Lindsay and Ms. Lopez-Trotter regarding the proposed decision by the administrative law judge for the case of *In the Matter of the Retirement Benefits of Marlene Finander*. The committee sought clarification about the service credit purchased by Ms. Finander and her years of service. The committee also inquired about adjustment letter notifications sent to the member and whether there was any correlation between those letters and Ms. Finander’s claims. Staff recommended the committee adopt the proposed decision, with the technical and minor changes noted on the committee materials at APP9.

IV. EDUCATION: THE ADMINISTRATIVE REMEDY PROCESS FROM INTERNAL REVIEW TO COMMITTEE DECISION (Item 4)

The committee received a presentation from Mr. Gini, Mr. Dutil and Ms. Minoya providing an overview of the internal administrative remedy process. The committee was provided an overview of the internal Decision-level process, the Executive Review process for final Determinations, and the Audit Services review process from initial findings to final audit reports. The committee was also provided information about the administrative hearing process after final Determinations are issued. The committee inquired about the timeline for internal reviews and members’ timeline to respond to actions taken by CalSTRS. The committee also inquired about the interaction between audit findings and the appeals process.

V. EDUCATION: APPEAL ISSUES SERIES ON SERVICE RETIREMENT (Item 5)

The committee received a presentation from Ms. DuBray reviewing the number of and subject matters addressed in Decision letters, Determination letters, and administrative hearings in Service Retirement for the last five fiscal years (2015/16 – 2019/20). The committee engaged in a discussion about the different trends identified during the covered period.

VI. STAFF REPORT (Item 6)

The committee received a staff report from Ms. Minoya concerning anticipated proposed decisions, continuation of the educational series for the committee, and scheduling needs for future committee meetings.

VII. REVIEW OF INFORMATION REQUESTS (Item 7)

There were no requests for information.

VIII. OPPORTUNITY FOR STATEMENTS FROM THE PUBLIC (Item 8)

Mr. Lp commented on personnel issues.

There were no additional statements from the public.

RECESS

The Open Session of the committee meeting recessed at 2:06 p.m. and the committee went into Closed Session. The committee reconvened in Open Session at 2:38 p.m.

IX. ANNOUNCEMENT OF ACTION TAKEN ON PROPOSED ADMINISTRATIVE DECISION (Item 12)

- a. In the Matter of the Retirement Benefits of Marlene Finander

The committee adopted the proposed decision in *In the Matter of the Retirement Benefits of Marlene Finander*, with the technical and minor changes recommended by staff, as reflected below:

- (1) On page 2, Summary, line 4, change “earned” to “earnable.”
- (2) On page 2, Summary, line 5, change “she” to “it.”
- (3) On page 2, Summary, line 8, change “earned” to “earnable.”
- (4) On page 4, paragraph 8, line 5, change “May 20, 2004” to “April 20, 2004.”
- (5) On page 10, paragraph 18, line 13, change “May 20, 2004” to “April 20, 2004.”
- (6) On page 15, paragraph 26, line 1, change “July 17, 2005” to “September 17, 2005.”
- (7) On page 20, paragraph 35, line 1, change “April 18, 2018” to “December 14, 2018.”
- (8) On page 20, paragraph 35, line 15, change “April 22, 2005” to “August 22, 2005.”

X. ADJOURNMENT

There being no further business to conduct, Chairperson Bradford adjourned the Appeals Committee meeting at 2:39 p.m.

Jack Ehnes, Chief Executive Officer
And Secretary to the Teachers’ Retirement Board

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Denise Bradford, Chairperson

Prepared by: Saideh Dadras, Senior Counsel