



Appeals Committee

Item Number 2 – Open Session

Subject: Approval of Minutes for the January 25, 2023, Appeals Committee Meeting – Open Session

Presenter(s): Chairperson

Item Type: Consent Action

Date & Time: May 3, 2023 – 0 minutes

Attachment(s): None

PowerPoint(s): None

PROPOSED MINUTES

Teachers' Retirement Board – Appeals Committee Meeting

January 25, 2023

OPEN SESSION

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

COMMITTEE MEMBERS PRESENT

Karen Yamamoto, Chairperson

Ken Tang, Vice Chairperson

Denise Bradford

OTHER BOARD MEMBERS PRESENT

Harry Keiley

Sharon Hendricks

STAFF PRESENT

Bill Perez, Chief Benefits Officer

Reina G. Minoya, Assistant General Counsel

Jody Cozad, Pension Program Manager II

Jaismin Kaur, Counsel

Braden Pate, Senior Counsel

OTHERS PRESENT

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

Betty Forrester, Retired Teacher (Los Angeles Unified School District)

Jennifer Baker, CalRTA

Pat Geyer, CalRTA

Doug Orr, CFT

Dana Dillon, CTA/NEA-Retired Liaison

Ed Foglia, CTA/NEA-Retired

Don Stauffer, CTA-NEA-Retired

Brian Breslin, CTA

Phyllis Hall, CTA, CCA

Rose Luna, CTA

Mitch Olson, CTA

Mary Kay Scheid, CTA

Kevin Welch, CTA

Leonard Goldberg, UTLA

A quorum being present, Chairperson Yamamoto called the Open Session meeting of the Appeals Committee meeting to order at 2:36 p.m.

I. APPROVAL OF COMMITTEE AGENDA (Item 1)

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

Members Voting	Aye	Nay	Abstain
Ms. Bradford	X		
Mr. Tang	X		
Chairperson Yamamoto	X		

II. APPROVAL OF MINUTES FOR THE NOVEMBER 3, 2022, APPEALS COMMITTEE MEETING OPEN SESSION (Item 2)

MOTION duly made by Mr. Tang, seconded by Ms. Bradford, and carried to approve the minutes for the November 3, 2022, Appeals Committee Meeting Open Session.

Members Voting	Aye	Nay	Abstain
Ms. Bradford	X		
Mr. Tang	X		
Chairperson Yamamoto	X		

III. CONSIDERATION OF PROPOSED ADMINISTRATIVE DECISIONS (Item 3)

a. In the Matter of the Retirement Benefits of: Betty Forrester

The committee received a presentation from Ms. Kaur and Mr. Cozad regarding the proposed decision by the administrative law judge *In the Matter of the Retirement Benefits of: Betty Forrester*. The committee inquired about the origins of the case and how Ms. Forrester related to the audit conducted by CalSTRS in 2016. The committee also discussed how exactly Ms. Forrester’s earnings were misreported due to her elected officer positions and whether Ms. Forrester’s meetings with CalSTRS’ benefits counselors prior to her retirement should have any bearing on the outcome of this matter.

Ms. Forrester expressed her disagreement with the proposed decision, relayed her struggle to get a hearing on the adjustments made to her retirement benefit, and claimed CalSTRS should have identified the errors with her benefit prior to her retirement. Ms. Forrester also detailed the harm this decision has done to her in her retirement and asked the committee to make an exception in her case by restoring her uncorrected monthly benefit amount.

Staff recommended the committee adopt the proposed decision with the following technical or other minor changes:

1. On page 2, paragraph 1, line 5, change “Teacher’s” to “Teachers’.”
2. On page 3, paragraph 3, line 3, change “art. XIV, 5 17” to “Art. XVI § 17.”
3. On page 4, paragraph 3, lines 3-4, change “the appropriate crediting of contributions to the Defined Benefit Program” to “the appropriate crediting of contributions...[to] the Defined Benefit Program.”
4. On page 8, paragraph 17, line 1, change “2019” to “2020.”
5. On page 8, paragraph 19, line 1, change “April 12” to “April 13.”
6. On page 9, paragraph 20, line 7, change “Ex. 23” to “Ex. 22.”
7. On page 10, paragraph 23, line 3, change “Pearl-Caputo” to “Caputo-Pearl.”
8. On page 18, paragraph 18, line 1, change “(b)” to “(a)(2).”
9. On page 18, paragraph 18, line 5, change “21119.5” to “22119.5.”
10. On page 18, paragraph 18, line 8, change “2119.5” to “22119.5.”

11. On page 21, paragraph 22, line 8, change “exiting” to “existing.”

12. On page 23, paragraph 26, line 3, change “adjustment” to “adjustments.”

13. On page 23, paragraph 26, lines 4 and 5, change “22208” to “22008.”

IV. STAFF REPORT (Item 4)

The committee received a staff report from Ms. Minoya concerning four upcoming scheduled administrative hearings and the scheduling needs for future committee meetings in relation to those hearings.

V. REVIEW OF INFORMATION REQUESTS (Item 5)

There were no requests for information.

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

There were no additional statements from the public.

RECESS

The Open Session of the committee meeting recessed at 2:56 p.m. and the committee went into Closed Session. The committee reconvened in Open Session at 3:25 p.m.

VII. ANNOUNCEMENT OF ACTIONS TAKEN ON PROPOSED ADMINISTRATIVE DECISIONS (Item 10)

a. In the Matter of the Retirement Benefits of: Betty Forrester

The committee adopted the proposed decision in *In the Matter of the Retirement Benefits of: Betty Forrester* with the following technical or other minor changes:

1. On page 2, paragraph 1, line 5, change “Teacher’s” to “Teachers’.”

2. On page 3, paragraph 3, line 3, change “art. XIV, 5 17” to “Art. XVI § 17.”

3. On page 4, paragraph 3, lines 3-4, change “the appropriate crediting of contributions to the Defined Benefit Program” to “the appropriate crediting of contributions...[to] the Defined Benefit Program.”

4. On page 8, paragraph 17, line 1, change “2019” to “2020.”

5. On page 8, paragraph 19, line 1, change “April 12” to “April 13.”

6. On page 9, paragraph 20, line 7, change “Ex. 23” to “Ex. 22.”
7. On page 10, paragraph 23, line 3, change “Pearl-Caputo” to “Caputo-Pearl.”
8. On page 18, paragraph 18, line 1, change “(b)” to “(a)(2).”
9. On page 18, paragraph 18, line 5, change “21119.5” to “22119.5.”
10. On page 18, paragraph 18, line 8, change “2119.5” to “22119.5.”
11. On page 21, paragraph 22, line 8, change “exiting” to “existing.”
12. On page 23, paragraph 26, line 3, change “adjustment” to “adjustments.”
13. On page 23, paragraph 26, lines 4 and 5, change “22208” to “22008.”

VIII. ADJOURNMENT

There being no further business to conduct, Chairperson Yamamoto adjourned the Appeals Committee meeting at 3:26 p.m.

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

Karen Yamamoto, Chairperson

Prepared by: Braden Pate, Senior Counsel