

**Annual Summary of Administrative Appeals
 Fiscal Year 2022-2023**

Proposed Decisions for Consideration (Gov. Code § 11517):

| No. | Committee Meeting Date | Decision Name | Issue(s) | ALJ Proposed Decision | Staff Recommendation | Committee Decision |
|-----|------------------------|---|--|-----------------------|----------------------|-----------------------------|
| 1. | 11/2022 | In the Matter of the Option Benefit of: Darryl Bolke | Whether 50 percent option beneficiary was receiving the correct option benefit | Granted Appeal | Reject PD and Remand | Reject PD and Remand |
| 2. | 1/2023 | In the Matter of the Retirement Benefits of: Betty Forrester | Whether member’s contributions for the time she worked as an elected union officer should have been reported to CalSTRS based on a 10-month or 12-month pay schedule | Denied Appeal | Adopt PD | Adopt PD |
| 3. | 5/2023 | In the Matter of the Appeal Regarding the Final Compensation Calculation of: Dorothy Cole | Whether member’s longevity pay was creditable compensation | Denied Appeal | Adopt PD | Reject PD and Decide Itself |

During this fiscal year, 7 other matters were withdrawn by respondent or otherwise resolved after the administrative hearing requests were received and prior to the hearings and/or consideration by the committee.

Petitions for Writ of Mandate (Gov. Code § 11523):

| No. | Petition Date | Decision Name | Issue(s) | Status |
|-----|-------------------------------|--|--|---|
| 1. | 10/2019 | In the Matter of: Whether Fremont Unified School District Incorrectly Reported Compensation to CalSTRS | Whether one-time off-salary schedule payments are reportable to employees' Defined Benefit accounts; equitable estoppel | Court judgment entered denying the District's petition on substantive grounds but partially granting petition on statute of limitations defense resulting in overpayment reduction. |
| 2. | 4/2020 | In the Matter of the Retirement Benefits of: Bruce Ritchey | Whether employer misreported member's base days; whether extra-duty earnings are creditable to the Defined Benefit account | Court judgment entered denying member's petition. |
| 4. | Various dates starting 1/2020 | Courtney Hilton v. Office of Administrative Hearings et al. | Whether member is entitled to disability retirement benefits | All petitions filed by the member have been dismissed. |
| 5. | 3/2023 | Betty Forrester v. CalSTRS | Whether member's contributions for the time she worked as an elected union officer should have been reported to CalSTRS based on a 10-month or 12-month pay schedule | On January 25, 2023, the Appeals Committee adopted the Proposed Decision denying the appeal with the technical or minor changes identified by staff. Member has filed a petition for writ of mandate. Awaiting briefing schedule. |

Court of Appeal Cases

| No. | Appeal Date | Case Name | Status |
|-----|-------------------------------|---|--|
| 1. | 8/2017 | Blaser, et al. vs. CalSTRS, et al. | Court of Appeal found in favor of CalSTRS. Equitable estoppel and laches could not be asserted by the members as a matter of law, so all benefit adjustments and overpayment collections as of 2/1/13 can be made. |
| 2. | 1/2022 | Rebecca Wu | CalSTRS’ motion for judgment on the pleadings was granted without leave to amend in December 2021. Member timely served a notice of appeal on January 26, 2022. Oral arguments scheduled for September 20, 2023. |
| 3. | Various dates starting 1/2022 | Courtney Hilton | Member has been determined to be a vexatious litigant and all of her various appeals have been dismissed. |
| 4. | 2/2022 | In the Matter of the Retirement Benefits of: Colleen Wilcox | Court of Appeal found in favor of CalSTRS. Compensation items were not creditable, and the equitable defense of laches does not apply. CalSTRS has requested publication of the decision. |