



## Appeals Committee

### Item Number 2 – Open Session

**Subject:** Approval of Minutes for the March 6, 2024, Appeals Committee Meeting  
– Open Session

**Presenter(s):** Chairperson

**Item Type:** Consent Action

**Date & Time:** June 7, 2024 – 0 minutes

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**Attachment(s):** None

**PowerPoint(s):** None

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#### PROPOSED MINUTES

**Teachers' Retirement Board – Appeals Committee Meeting**

**March 6, 2024**

**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

Elizabeth Sanders, representing the State Superintendent of Public Instruction, Tony Thurmond

#### **STAFF PRESENT**

Brian J. Bartow, General Counsel

Teresa Schilling, Chief Public Affairs Officer

Meredith Bartles, Plan Design Specialist, Governmental Relations

Anna Coats, Pension Program Manager I

Jody Cozad, Pension Program Manager II

Kaitlin DuBray, Pension Program Manager III

Mark Gini, CalSTRS Ombudsperson

Ashley Lopez-Trotter, Pension Program Manager I  
Jaismin Kaur, Litigation Counsel  
Lawrence Lin, Senior Counsel  
Fred Messerer, Assistant General Counsel  
Reina G. Minoya, Assistant General Counsel  
Diane Stanton, Director of External Affairs  
Jovanna Schmidt, Senior Litigation Counsel  
John Shipley, Senior Litigation Counsel  
Brian Sytsma, Counsel

**OTHERS PRESENT**

Dana Dillon, CTA/NEA-Retired

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

A quorum being present, Chairperson Yamamoto called the Open Session meeting of the Appeals Committee meeting to order at 3:38 p.m.

**I. APPROVAL OF COMMITTEE AGENDA (Item 1)**

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

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

**MOTION** duly made by Ms. Sanders, seconded by Ms. Hendricks, and carried to approve the minutes for the November 2, 2023, Appeals Committee Meeting, Open Session.

**III. CONSIDERATION OF PROPOSED ADMINISTRATIVE DECISIONS (Item 3)**

In the Matter of the Request to Change the Service Retirement Benefit Effective Date of: Patsy Williams

The committee received a presentation from Mr. Shipley and Ms. Lopez-Trotter regarding the proposed decision by the administrative law judge in the matter of the Request to Change the Service Retirement Benefit Effective Date of: Patsy Williams. Staff recommended the committee adopt the proposed decision, with the technical changes noted on the committee materials.

Ms. Bradford entered at 3:45 p.m.

The committee inquired about the member's eligibility for an earlier effective date under the Teachers' Retirement Law and confirmed with staff that the effective date being requested was available only to those members who retired on or before June 30, 2012.

The committee discussed the reasons for the delay between the member’s retirement date and receipt of the member’s current request with CalSTRS. The committee heard remarks from the General Counsel and the Independent Counsel.

Ms. Williams sent a written response to the proposed decision, expressing her disagreement with the results. Staff confirmed with the committee that Ms. Williams written response did not include new or additional information for the committee to consider.

The committee did not hear any public comment as no public comment was requested.

**IV. DESIGNATION OF PRECEDENTIAL DECISIONS (Item 4)**

The committee received a presentation from Ms. Minoya concerning the Recommendation for Designation of Precedential Decision: Patricia McLain. Ms. Minoya explained the standards for the committee to adopt a precedential decision.

The committee discussed with Ms. Minoya how the precedential decision would be communicated to both employers and members through training, newsletters, regulatory notices through the Office of Administrative Law, and the CalSTRS website, as well as direct discussions with CalSTRS staff. Ms. Minoya also informed the committee that CalSTRS would publish a resource on this matter. The committee heard from Mr. Bartow how the precedential decision would be utilized going forward, including that the decision could not be used in its totality in future matters where the new law (AB 1667 (McKinnor)) applied but would be beneficial for the more than 40 cases that were in queue.

**MOTION** duly made by Ms. Hendricks, seconded by Ms. Bradford, and carried to approve the Designation of Precedential Decision: Patricia McLain.

Members Voting	Aye	Nay	Abstain
Ms. Sanders, representing the Superintendent of Public Instruction	X		
Mr. Tang	X		
Ms. Bradford	X		
Vice Chairperson Hendricks	X		
Chairperson Yamamoto	X		

**V. STAFF REPORT (Item 5)**

The committee received a staff report from Ms. Minoya concerning the need for an additional future committee meeting to discuss an educational item and a proposed precedential decision.

**VI. REVIEW OF INFORMATION REQUESTS (Item 6)**

There were no information requests.

**VII. OPPORTUNITY FOR STATEMENTS FROM THE PUBLIC (Item 7)**

There were no statements from the public.

**RECESS**

The Open Session of the committee meeting recessed at 4:22 P.M and the committee went into Closed Session. The committee reconvened in Open Session at 4:53 p.m.

**VIII. ANNOUNCEMENT OF ACTIONS TAKEN ON PROPOSED ADMINISTRATIVE DECISIONS (Item 11)**

In the Matter of the Request to Change the Service Retirement Benefit Effective Date of: Patsy Williams

The committee adopted the proposed decision in the matter of the Request to Change the Service Retirement Benefit Effective Date of: Patsy Williams, with the proposed technical or other changes.

1. On page 2, paragraph 3, lines 7 and 8, change “executive review” to “Executive Review.”
2. On page 2, paragraph 3, line 8, change “email” to “letter.”
3. On page 2, paragraph 4, line 2, change “determination” to “Determination.”
4. On page 3, paragraph 5, line 1, change “Services” to “Service.”
5. On page 3, paragraph 5, line 4, change “executive reviews” to “Executive Reviews.”
6. On page 3, paragraph 6, lines 5-6, remove “extended eligibility for the MPPP to members who retired on or before June 30, 2012. Specifically, the resolution.”
7. On page 3, paragraph 8, lines 2-3, remove “with a CalSTRS employee at the Los Angeles County Office of Education.”
8. On page 4, paragraph 9, line 8, change “Medicare Part A premium” to “Medicare Part A premium.” [Emphasis was in original.]
9. On page 4, paragraph 9, line 16, change “premium free Medicare Part A” to “premium free Medicare Part A.” [Emphasis was in original.]
10. On page 6, paragraph 13, line 1, change “advise” to “advised.”
11. On page 6, paragraph 16, line 3, change “on August 2, 2012” to “on or about August 2, 2012.”
12. On page 7, paragraph 19, line 7, add “to” after “very important” and before “qualify.”
13. On page 8, paragraph 20, line 1, add “was issued” after “first benefit payment” and before “to change her retirement date.”

**IX. ADJOURNMENT**

There being no further business to conduct, Chairperson Yamamoto adjourned the Appeals Committee meeting at 4:54 p.m.

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

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Karen Yamamoto, Chairperson

Prepared by: Lawrence Lin, Senior Counsel

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Strategic Plan Linkage: Goal 1 (trusted stewards) to ensure a well-governed, financially sound trust fund.

Board Policy Linkage: Section 7.C. Guidelines for Consideration of Proposed Decisions in Appeals; Section 7.D. Designating Precedential Decisions

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Optional Reference Material: *Proposed Decision for In the Matter of the Request to Change the Service Retirement Benefit Effective Date of: Patsy Williams; Written Statement from Patsy Williams regarding appeal of Administrative Law Judge decision for In the Matter of the Request to Change the Service Retirement Benefit Effective Date of: Patsy Williams; Notice of Decision and Order for In the Matter of the Retirement Benefits of: Patricia McLain*