CALSTRS

Appeals Committee Meeting

Item number 2 – Open session

Subject: Approval of Minutes of the May 28, 2026, Appeals Committee Meeting– Open Session

Presenter(s): Chairperson

Item type: Consent action

Date and time: November 3, 2026– 0 minutes

Attachment(s): None

PowerPoint presentation(s): None

PROPOSED MINUTES

Teachers' Retirement Board – Appeals Committee Meeting

May 28, 2026

OPEN SESSION

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

COMMITTEE MEMBERS PRESENT

Karen Yamamoto, Chairperson
Sharon Hendricks, Vice Chairperson
Steve Juarez
Patrick Henning, representing the State Treasurer, Fiona Ma
Dean Patterson, representing the State Superintendent of Public Instruction, Tony Thurmond

STAFF PRESENT

Brian J. Bartow, General Counsel
Melissa Norcia, Chief Administrative Officer
Teresa Schilling, Chief Public Affairs Officer
Jeff Zimmer, Chief Benefits Officer
Melyssa Adams, Director, Disability & Survivor Benefits
Karen Doron, Director, Communications
Mark Gini, Ombuds

Joycelyn Martinez-Wade, Director, Governmental Relations
Reina G. Minoya, Assistant General Counsel, Litigation Services
Dylan Pletcher, Chief Information Security Officer
Kimberlee Pulido, Director, Service Retirement
Jennifer Spangler, Director, Employer Services
Diane Stanton, Director of External Affairs, Public Affairs
Nicole Snyder, Pension Program Manager III, Employer Services
Anthony Carlos, Pension Program Manager II, Service Retirement
John Maradik-Symkowick, Manager II, Governmental Relations
James Stassi, Pension Program Manager II, Disability & Survivor Benefits
Sue Xiong, Pension Program Manager II, Employer Services
Ashley Lopez-Trotter, Pension Program Manager I, Service Retirement
Charles Glauberman, Senior Counsel
Jaismin Kaur, Senior Counsel
James Lindsay, Senior Counsel
Amelia Thompson, Senior Counsel
Nicole Jamison, Counsel

OTHERS PRESENT

David Lantzer, Olson Remcho, LLP (Independent Counsel to the Appeals Committee)
Carol Garrison, Member
Mark Allen CalRTA
Jennifer Baker, CalRTA
Kathy Kinley, CalRTA
Leonard Goldberg, UTLA
Kevin Welch, DEA/CTA
Doug Orr
Jesus Gutierrez, CTA
Peter Morse, FACCC
Kathy Sharp, CTA/NEA-Retired

A quorum being present, Chairperson Yamamoto called the Open Session meeting of the Appeals Committee to order at 2:30 p.m.

I. APPROVAL OF COMMITTEE AGENDA (Item 1)

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

Members Voting	Aye	Nay	Abstain
Ms. Hendricks	x		
Mr. Juarez	x		
Mr. Henning	x		
Mr. Patterson	x		
Chairperson Yamamoto	x		

II. APPROVAL OF MINUTES FOR THE SEPTEMBER 4, 2025, APPEALS COMMITTEE MEETING – OPEN SESSION (Item 2)

MOTION duly made by Mr. Juarez, seconded by Ms. Hendricks, and carried to approve the September 4, 2025, Appeals Committee Meeting—Open Session Minutes.

Members Voting	Aye	Nay	Abstain
Ms. Hendricks	x		
Mr. Juarez	x		
Mr. Henning	x		
Mr. Patterson	x		
Chairperson Yamamoto	x		

III. CONSIDERATION OF PROPOSED ADMINISTRATIVE DECISION (Item 3)

a. *In the Matter of the Retirement Benefits of: Carol Garrison*

The committee received a presentation from Mr. Glauberman and Ms. Snyder regarding the proposed decision issued *In the Matter of the Retirement Benefits of: Carol Garrison* by administrative law judge Brian Weisel.

The committee learned that the main legal issue at hearing was whether Ms. Garrison's additional Title I and English Language Learner (ELL) coordinator duties, and the compensation from those duties, should be credited to her Defined Benefit (DB) or Defined Benefit Supplement (DBS) account. The committee learned that only a single full-time assignment can be reported to a member's DB account. The committee heard that Ms. Garrison was classified by the employer as a teacher and was paid according to the certificated employees' salary schedule and that Ms. Garrison's coordinator duties and compensation were in addition to the salary she received for her classification as a full-time teacher. The committee also learned creditable compensation must be paid in the same amount to all individuals in the same class of employees. The committee was informed that Ms. Garrison's additional earnings for the coordinator duties were not paid to all other members of her class of full-time teachers and were reflected as separate earnings on her paystubs. The committee was further informed that ALJ Weisel found there was no evidence showing Ms. Garrison belonged to a class of one, or that the employer created a separate class of employees for the coordinator positions.

The committee learned that ALJ Weisel rejected Ms. Garrison's arguments that the employer classified her as a "coordinator" and not as a full-time teacher, and that all the compensation from her Title I and ELL coordinator duties were included in her salary and creditable to her DB account. The committee inquired whether there were other employees of the employer who had coordinator roles, and learned that there were eight other employees who had coordinator roles. The committee also learned that ALJ Weisel concluded that, consistent with statute, case law and CalSTRS' precedential decisions, all additional reportable service and compensation from Ms. Garrison's Title I and ELL coordinator duties must be credited only to her DBS account. The committee heard staff's recommendation to adopt the proposed decision with technical or other minor changes that

do not affect the factual or legal bases of the proposed decision. The committee inquired as to technical change number six of the staff recommendations and asked that it be clarified so that the statement "salary for up to one-year of service credit" was being inserted in place of "final salary," with the remainder of paragraph 31 on pages 10-11 remaining as in the original text of the proposed decision. The committee also inquired about Ms. Garrison's DBS account election at the time she applied for retirement.

The committee received a statement from Ms. Garrison. She requested that the committee consider a limited modification or remand of the proposed decision regarding the use of salary placement as being determinative of her classification.

IV. EDUCATIONAL ITEM: OVERVIEW OF THE ADMINISTRATIVE APPEALS PROCESS (Item 4)

The committee received an educational presentation outlining the major stages of the administrative appeals process from Mr. Xiong, Ms. Lopez-Trotter, and Ms. Kaur. The committee heard CalSTRS conducts regular employer audits to protect the integrity of the retirement fund and provide accurate benefits to CalSTRS members. The committee learned the employer audits are authorized under Education Code section 22206 and that an employer audit begins with Audit Services conducting an audit and concludes with member(s) and employer(s) being provided with the right to appeal the audit finding(s). The committee learned that changes to the Education Code subject to Assembly Bill 1667, effective January 1, 2023, resulted in all affected members of an employer audit being granted appeal rights. As a result, there has been a significant increase in both the volume of member notifications that are sent based on an employer audit finding and the volume of affected member inquiries. The committee asked for clarification regarding 1) the scope of employer audits, confirming that the reporting of creditable compensation is a key component; and 2) the process for determining which employers are selected for auditing. The committee also inquired about the methods used to notify identified affected members of an employer audit, specifically whether mail was utilized in addition to email or other electronic methods.

The committee also learned how an appeal originates from Benefits & Services and Financial Services and was provided an overview of the internal review processes, including who has appeal rights and the scope of those rights. The committee heard about the processes for issuing Decisions and Determinations as part of the administrative remedy process. The committee also heard about the type of information that is reviewed during an Executive Review. The committee asked if there was a reason recorded calls were specifically noted as one of the types of information reviewed during an Executive Review and learned that recorded calls are always reviewed as a part of the standard business practice for an executive review in service retirement. The committee further inquired whether callers are informed that they will be recorded during calls and the committee learned that the CalSTRS Contract Center phone line has a prerecorded notification for callers.

Lastly, the committee heard about the administrative hearing process and learned that an administrative hearing commences with the filing of a statement of issues and is heard by

an assigned administrative law judge (ALJ) from the California Office of Administrative Hearings. The committee also learned that once the ALJ issues a proposed decision, it is presented to the committee for consideration along with any statements from staff and member(s)-at-issue; and that the committee has full authority to act finally on the matter. The committee heard about the statutory 100-day deadline for the committee's consideration of a proposed decision and the committee's authorized actions and was reminded of the potential need for off-cycle committee meetings in order to comply with the statutory 100-day deadline.

V. REVIEW OF COMMITTEE CHARTER (Item 5)

The committee received a presentation from Ms. Thompson regarding the Appeals Committee Charter, which is contained in the Board Governance Manual. The committee learned that after a detailed review of the charter, staff did not have any recommended revisions but was interested in soliciting input from the committee. The committee noted the Appeals Committee Charter was last amended in May 2025. After consideration, the committee did not request any new revisions.

VI. REVIEW OF COMMITTEE WORK PLAN FOR FY 2026-27 (Item 6)

The committee received a presentation from Ms. Minoya and was solicited for input regarding the Appeals Committee Work Plan for the 2026-27 fiscal year and specifically for identification of additional educational or training items. The committee learned that an educational item they will receive relates to the committee's consideration of proposed decisions and post-decision procedures, including the five potential actions the committee is authorized to take in considering proposed decisions. The committee was asked to provide any suggestions for additional learning topics prior to the work plan being considered for approval by the board at the next meeting.

VII. ANNUAL SUMMARY OF APPEAL ACTIVITY FOR FISCAL YEAR 2025-26 (Item 7)

The committee received a presentation from Mr. Lindsay summarizing the issues and results of appeal activity for fiscal year 2025-26, comprising of two proposed decisions, one of which was previously adopted and the other being considered at this May 2026 meeting; ten other withdrawals or separately resolved matters prior to hearing; and one petition for writ of mandate. The committee learned the petition for writ of mandate was not filed during fiscal year 2025-26, but rather a final judgment entered that related to a previous committee decision. The committee also learned that during fiscal year 2025-26, there were no applications for correction of mistake or clerical error, no petitions for reconsideration, and no pending Court of Appeal cases.

The committee noted their appreciation for staff's work in relation to these matters. The committee then requested additional information regarding the appeals requests received for the last five years, including the types and number of appeals requests received, types and number of resolutions, with an overall focus on year-to-year trends. If demonstrative, data regarding issues may be included in staff's discretion.

VIII. ANNUAL SUMMARY OF DESIGNATION OF PRECEDENTIAL DECISIONS FOR FISCAL YEAR 2025-26 (Item 8)

The committee received a statement from Mr. Lindsay explaining that no precedential decisions were designated in fiscal year 2025-26. The committee learned of its authority to make such designations and heard that an index of precedential decisions can be found on the CalSTRS website.

IX. STAFF REPORT (Item 9)

The committee received a staff report from Ms. Minoya. The committee learned there are five hearings scheduled, with the soonest being scheduled for early July 2026. The committee learned the first proposed decision may be available in time for the committee's consideration at their regularly scheduled November 2026 meeting. The committee also learned an off-cycle committee meeting may be needed in December 2026 or January 2027 so the committee can take action regarding a proposed decision, if issued, for a hearing currently scheduled for October 2026.

X. REVIEW OF INFORMATION REQUESTS (Item 10)

Pursuant to item 7, the committee requested additional information regarding the appeals requests received for the last five years, including the types and number of appeals requests received and types and number of resolutions, with an overall focus on year-to-year trends. If demonstrative, data regarding issues may be included at staff's discretion. In addition to the request for information described above, the committee will be provided with a copy of the last "Top 5 in 5" presentation.

XI. OPPORTUNITY FOR STATEMENTS FROM THE PUBLIC (Item 11)

There were no additional statements from the public.

RECESS

The Open Session of the committee meeting recessed at 3:24 p.m. and the committee went into Closed Session. The committee reconvened in Open Session at 3:48 p.m.

XII. ANNOUNCEMENT OF ACTION TAKEN ON PROPOSED ADMINISTRATIVE DECISION (Item 15)

a. *In the Matter of the Retirement Benefits of: Carol Garrison*

The committee announced its decision to adopt the proposed decision in *In the Matter of the Retirement Benefits of: Carol Garrison*, with the following technical or other minor changes:

1. On page 3, paragraph 3, line 5, and page 11, paragraph 32, line 2, change "final salary" to "salary."
2. On page 4, paragraph 8, line 2, change "1989" to "1994."
3. On page 6, paragraph 14, line 5, change "revert to" to "continue with."

4. On page 7, paragraph 18, line 2, change "present" to "retirement."
5. On page 7, change paragraph 19, lines 2-5, from "The Education Code requires CalSTRS to treat each member in the same class the same when calculating final salary versus additional income. Final salary is credited to a member's DB account. Any additional income must be credited to a member's DBS account." to "The Education Code requires CalSTRS to treat each member in the same class the same when identifying salary versus additional income. Salary is credited to a member's DB account for up to one year of service credit. Any additional income that results in more than one year of service must be credited to a member's DBS account."
6. On pages 10-11, paragraph 31, line 2, replace "final salary" with "salary for up to one year of service credit" without changing the remaining language.
7. On page 17, paragraph 7, change "creditable service" to "compensation creditable to her DB account."

XIII. ADJOURNMENT

There being no further business to conduct, Chairperson Yamamoto adjourned the meeting at 3:48 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: Nicole Jamison, Counsel