

TEACHERS' RETIREMENT BOARD

APPEALS COMMITTEE CHARTER

INTRODUCTION

The Appeals Committee has been established in order to provide a dedicated body to hear, deliberate upon, and decide appeals of system determinations pursuant to the Administrative Procedure Act.

AUTHORITY

1. To engage professional services consultants and counsel as necessary to provide education on the adjudication of appeals and to provide legal services in the event the General Counsel's office is unable to provide advice on a matter because of a conflict of interest.
2. To hear and act finally on all appeals, proposed decisions, and determinations of whether an administrative hearing will be granted pursuant to Section 22219 of the Education Code. The Committee shall have no authority to hear and act finally on a matter if, before the matter is heard by the Committee, a member of the Board asks that the matter be heard and decided by the Board rather than the Committee.

COMPOSITION

The Committee shall consist of four members. It is intended that the Committee always meet as a body of three to hear all appeals, proposed decisions and determinations pursuant to Section 22219. The Committee Chair shall determine which three Committee members will serve as the hearing body for a particular matter.

MEETINGS

The Committee shall meet on an as-needed basis to ensure the timely resolution of appeals, as determined by the Committee Chair in consultation with the Chair of the Board, the General Counsel, and the Deputy Chief Executive Officer for Benefits and Services. The Committee will consider holding meetings on dates other than regular Board/Committee meeting dates to facilitate both the expeditious resolution of appeals and the efficient conduct of regularly scheduled meetings.

RESPONSIBILITIES

The Committee's responsibilities include the following:

1. To hear, deliberate upon, and expeditiously decide appeals of system determinations pursuant to the Administrative Procedure Act.
2. To work with CalSTRS staff to identify required Committee member training in administrative law and procedure appropriate to the nature of CalSTRS appeals.