

# TEACHER RETIREMENT SYSTEM OF TEXAS MEETING

## BOARD OF TRUSTEES

### AND

## POLICY COMMITTEE

*All or part of the July 18, 2024, meeting of the TRS Policy Committee and Board of Trustees may be held by telephone or video conference call as authorized under Sections 551.130 and 551.127 of the Texas Government Code. The Board intends to have a quorum and the presiding officer of the meeting physically present at the following location, which will be open to the public during the open portions of the meeting: **1000 Red River, Austin, Texas 78701 in the TRS East Building, 5<sup>th</sup> Floor, Boardroom.***

*The open portions of the July 18, 2024, meeting are being broadcast over the Internet. Access to the Internet broadcast and agenda materials of the meeting is provided at [www.trs.texas.gov](http://www.trs.texas.gov). A recording of the meeting will be available at [www.trs.texas.gov](http://www.trs.texas.gov).*

## AGENDA

**July 18, 2024 – 11:30 a.m.**

### **TRS East Building, 5<sup>th</sup> Floor, Boardroom**

1. Call roll of Committee members.
2. Consider the approval of the proposed minutes of the May 2024 committee meeting – Committee Chair.
3. Review and consider recommending to the Board proposed amendments to the Procurement Policy –Heather Traeger.
4. Consider recommending to the Board adoption of the following proposed repeal and new rule in Chapter 51 of Title 34, Part 3 of the Texas Administrative Code – Heather Traeger and James Burshtyn:
  - A. [REPEAL] §51.2 Vendor Protests, Dispute Resolution, and Hearing
  - B. [NEW] Rule 51.2 Vendor Protests and Appeals

NOTE: The Board of Trustees (Board) of the Teacher Retirement System of Texas will not consider or act upon any item before the Policy Committee (Committee) at this meeting of the Committee. This meeting is not a regular meeting of the Board. However, because the full Policy Committee constitutes a quorum of the Board, the meeting of the Committee is also being posted as a meeting of the Board out of an abundance of caution.

5. Consider recommending to the Board adoption of the following proposed new rule in Subchapter A of Chapter 41 of Title 34, Part 3 of the Texas Administrative Code, related to Retiree Health Care Benefits (TRS-Care) - Heather Traeger, Roberto Cortes-Moreno:
  - A. [NEW] §41.17 Limited-Time Enrollment Opportunity for Medicare-eligible retirees
6. Consider authorizing for publication in the Texas Register notice of proposed repeal and new rules in Chapter 43 of Title 34, Part 3 of the Texas Administrative Code, related to Contested Cases – Heather Traeger and Nick Gonzalez:
  - A. [REPEAL] §43.1 Administrative Review of Individual Requests
  - B. [REPEAL] §43.2 Effect of Invalidity of Rule
  - C. [REPEAL] §43.3 Definitions
  - D. [REPEAL] §43.4 Decisions Subject to Review by an Adjudicative Hearing
  - E. [REPEAL] §43.5 Request for Adjudicative Hearing
  - F. [REPEAL] §43.6 Filing of Documents
  - G. [REPEAL] §43.7 Computation of Time
  - H. [REPEAL] §43.8 Extensions
  - I. [REPEAL] §43.9 Docketing of Appeal for Adjudicative Hearing and Dismissal for Failure to Obtain Setting
  - J. [REPEAL] §43.10 Authority to Grant Relief
  - K. [REPEAL] §43.11 Classification of Pleadings
  - L. [REPEAL] §43.12 Form of Petitions and Other Pleadings
  - M. [REPEAL] §43.13 Filing of Pleadings and Amendments
  - N. [REPEAL] §43.14 Briefs
  - O. [REPEAL] §43.15 Motions
  - P. [REPEAL] §43.16 Notice of Hearing and Other Action
  - Q. [REPEAL] §43.17 Agreements To Be in Writing
  - R. [REPEAL] §43.18 Motion for Consolidation
  - S. [REPEAL] §43.19 Additional Parties
  - T. [REPEAL] §43.20 Appearance and Representation
  - U. [REPEAL] §43.21 Lead Counsel
  - V. [REPEAL] §43.23 Powers of the Administrative Law Judge
  - W. [REPEAL] §43.24 Prehearing Conference and Orders
  - X. [REPEAL] §43.25 Conduct of Hearing
  - Y. [REPEAL] §43.26 General Admissibility
  - Z. [REPEAL] §43.27 Exhibits
  - AA. [REPEAL] §43.28 Pre-filed Direct Testimony in Disability Appeal Proceedings
  - BB. [REPEAL] §43.29 Limit on Number of Witnesses
  - CC. [REPEAL] §43.33 Failure to Appear
  - DD. [REPEAL] §43.34 Conduct and Decorum at Hearing
  - EE. [REPEAL] §43.35 Official Notice
  - FF. [REPEAL] §43.36 Ex Parte Consultations

GG.	[REPEAL]	§43.37 Recording of the Hearing; Certified Language Interpreter
HH.	[REPEAL]	§43.38 Dismissal without Hearing
II.	[REPEAL]	§43.39 Summary Disposition
JJ.	[REPEAL]	§43.40 The Record
KK.	[REPEAL]	§43.41 Findings of Fact
LL.	[REPEAL]	§43.42 Reopening of Hearing
MM.	[REPEAL]	§43.43 Subpoenas and Commissions
NN.	[REPEAL]	§43.44 Discovery
OO.	[REPEAL]	§43.45 Proposals for Decision, Exceptions, and Appeals to the Board of Trustees
PP.	[REPEAL]	§43.46 Rehearings
QQ.	[REPEAL]	§43.47 Procedures Not Otherwise Provided
RR.	[REPEAL]	§43.48 Cost of Preparing Administrative Record
SS.	[NEW]	SUBCHAPTER A. GENERAL ADMINISTRATION
TT.	[NEW]	§43.1 Applicability.
UU.	[NEW]	§43.2 Definitions.
VV.	[NEW]	§43.3 Filing of Documents.
WW.	[NEW]	§43.4 Computation of Time.
XX.	[NEW]	§43.5 Extensions.
YY.	[NEW]	§43.6 Ex Parte Consultations.
ZZ.	[NEW]	§43.7 Procedures Not Otherwise Provided.
AAA.	[NEW]	SUBCHAPTER B. REQUESTS FOR ADJUDICATIVE HEARING
BBB.	[NEW]	§43.101. Administrative Review of Individual Requests.
CCC.	[NEW]	§43.102. Administrative Review of Disability Determinations.
DDD.	[NEW]	§43.103. Administrative Review of Option Beneficiary or Optional Retirement Annuity Plan Changes.
EEE.	[NEW]	§43.104. Request for Adjudicative Hearing.
FFF.	[NEW]	§43.105. Docketing of Petition for Adjudicative Hearing and Dismissal for Failure to Obtain Setting.
GGG.	[NEW]	§43.106. Authority to Grant Relief.
HHH.	[NEW]	§43.107. Subpoenas and Commissions.
III.	[NEW]	SUBCHAPTER C. HEARINGS NOT DOCKETED AT SOAH
JJJ.	[NEW]	§43.201. Applicability.
KKK.	[NEW]	§43.202. Form of Pleadings.
LLL.	[NEW]	§43.203. Filing of Pleadings and Amendments.
MMM.	[NEW]	§43.204. Briefs.
NNN.	[NEW]	§43.205. Motions.
OOO.	[NEW]	§43.206. Discovery.
PPP.	[NEW]	§43.207. Notice of Hearing and Other Action.
QQQ.	[NEW]	§43.208. Agreements To Be in Writing.
RRR.	[NEW]	§43.209. Motion for Consolidation.
SSS.	[NEW]	§43.210. Additional Parties.

TTT.	[NEW]	§43.211. Appearance and Representation.
UUU.	[NEW]	§43.212. Lead Counsel.
VVV.	[NEW]	§43.213. Powers of the Administrative Law Judge.
WWW.	[NEW]	§43.214. Prehearing Conference and Orders.
XXX.	[NEW]	§43.215. Conduct of Hearing.
YYY.	[NEW]	§43.216. General Admissibility.
ZZZ.	[NEW]	§43.217. Exhibits.
AAAA.	[NEW]	§43.218. Pre-filed Direct Testimony in Disability Appeal Proceedings.
BBBB.	[NEW]	§43.219. Limit on Number of Witnesses.
CCCC.	[NEW]	§43.220. Failure to Appear.
DDDD.	[NEW]	§43.221. Conduct and Decorum at Hearing.
EEEE.	[NEW]	§43.222. Official Notice.
FFFF.	[NEW]	§43.223. Recording of the Hearing; Certified Language Interpreter.
GGGG.	[NEW]	§43.224. Dismissal without Hearing.
HHHH.	[NEW]	§43.225. Summary Disposition.
IIII.	[NEW]	§43.226. The Record.
JJJJ.	[NEW]	§43.227. Findings of Fact.
KKKK.	[NEW]	§43.228. Reopening of Hearing.
LLLL.	[NEW]	SUBCHAPTER D. FINAL DECISIONS OF TRS.
MMMM.	[NEW]	§43.301. Proposals for Decision and Exceptions.
NNNN.	[NEW]	§43.302. Decision of Executive Director.
OOOO.	[NEW]	§43.303. Proposals for Decision and Exceptions regarding Eligibility for Disability Retirement.
PPPP.	[NEW]	§43.304. Appeals to the Board of Trustees.
QQQQ.	[NEW]	§43.305. Final Decision of TRS.
RRRR.	[NEW]	§43.306. Rehearings.
SSSS.	[NEW]	§43.307. Cost of Preparing Administrative Record.