

## AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> ████████████████████		<b>GRADE</b> A1C	<b>AFSN/SSAN</b> ████████████████			
<b>TYPE</b>	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>				
<b>COUNSEL</b>		<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>				
<b>YES</b>	<b>NO</b>					
	X					
<b>MEMBERS SITTING</b>		<b>VOTE OF THE BOARD</b>				
		<b>HON</b>	<b>GEN</b>	<b>UOTHC</b>	<b>OTHER</b>	<b>DENY</b>
████████████████████						X
████████████████████						X
████████████████████						X
████████████████████						X
████████████████████						X
<b>ISSUES</b> A94.03	<b>INDEX NUMBER</b> A49.00	<b>EXHIBITS SUBMITTED TO THE BOARD</b>				
		1	ORDER APPOINTING THE BOARD			
		2	APPLICATION FOR REVIEW OF DISCHARGE			
		3	LETTER OF NOTIFICATION			
		4	BRIEF OF PERSONNEL FILE			
			COUNSEL'S RELEASE TO THE BOARD			
			ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE			
			TAPE RECORDING OF PERSONAL APPEARANCE HEARING			
<b>HEARING DATE</b> 28 MAR 03		<b>CASE NUMBER</b> FD2002-0454				
<small>APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.</small>						
<b>REMARKS</b> Case heard at Washington, D.C.  Advise applicant of the decision of the Board, the right to a personal appearance with/without counsel, and the right to submit an application to the AFBCMR.						
<b>SIGNATURE OF RECORDER</b> ████████████████████			<b>SIGNATURE OF BOARD PRESIDENT</b> ████████████████████			
<b>INDORSEMENT</b>					<b>DATE: 28 MAR 03</b>	
<b>TO:</b> SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742			<b>FROM:</b> SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002			

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD02-0454

**GENERAL:** The applicant appeals for a Change in Reason and Authority for Discharge, and to change the RE Code.

The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.

The attached brief contains the available pertinent data on the applicant and the factors leading to the discharge.

**FINDINGS:** Change in Reason and Authority for Discharge along with a change in the RE Code is denied.

The board finds that neither evidence of record nor that provided by the applicant substantiates an inequity or impropriety, which would justify a change of discharge.

**ISSUE:** Applicant contends that his discharge was inequitable because it was based on one isolated incident (failure to pass a CDC) in 24 months of service with no other adverse action. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base a change in reason and authority for discharge, or to change the RE Code. The records indicate the applicant was discharged, Honorably, for Unsatisfactory Performance, failure to progress in On-The-Job Training. Unfortunately, the applicant failed his CDC Course twice, which is cause for separation. The record also indicates that the member was afforded every opportunity to progress by given extra study time, attending mandatory supervised study and by reviewing the materials one hour each evening at home. After the first failure, he was given a minimum of two hours each morning to further study and review the materials and there was no appearance of poor reading comprehension. The score on the second test was lower than the first test score. The Board concluded that the characterization, reason and authority of the applicant's discharge were appropriate due to the unsatisfactory academic performance.

**CONCLUSIONS:** The Discharge Review Board concludes that the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority and that the applicant was provided full administrative due process.

In view of the foregoing findings the board further concludes that there exists no legal or equitable basis for change in reason and authority for discharge, thus the applicant's discharge should not be changed.

Attachment:  
Examiner's Brief

DEPARTMENT OF THE AIR FORCE  
AIR FORCE DISCHARGE REVIEW BOARD  
ANDREWS AFB, MD

(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a HON Disch fr USAF 23 Oct 96 UP AFI 36-3208, para 5.26.3 (Failure to Progress in On-The-Job Training). Appeals for Change in Reason and Authority for Discharge and RE Code.

2. **BACKGROUND:**

a. DOB: 20 Nov 74. Enlmt Age: 19 5/12. Disch Age: 21 11/12. Educ: HS DIPL. AFQT: N/A. A-56, E-72, G-76, M-83. PAFSC: 2E131 - Satellite & Wideband Communications Equipment Apprentice. DAS: 31 Jul 95.

b. Prior Sv: (1) AFRes 6 May 94 - 25 Oct 94 (5 months 20 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 26 Oct 94 for 4 yrs. Svd: 1 Yr 11 Mos 28 Das, all AMS.

b. Grade Status: A1C - 26 Feb 96  
AMN - (EPR Indicates): 26 Oct 94-25 Jun 96

c. Time Lost: None.

d. Art 15's: None.

e. Additional: AF Form 623a, 06 AUG 96 - Second failure of CDC Course 30457A.  
AF Form 623a, 20 NOV 95 - Failure of CDC Course 30457A.

f. CM: None.

g. Record of SV: 26 Oct 94 - 25 Jun 96 Tinker AFB 5 (Initial)  
26 Jun 96 - 15 Oct 96 Tinker AFB 4 (HAF Dir)

(Discharged from Tinker AFB)

h. Awards & Decs: AFTR, NDSM, SAEMR, AFOUA.

i. Stmt of Sv: TMS: (2) Yrs (5) Mos (18) Das  
TAMS: (1) Yrs (11) Mos (28) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 21 Oct 02.  
(Change Reason and Authority for Discharge and Change RE Code)

ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. DD Form 214.
3. Two Enlisted Performance Reports.
4. New Mexico Department of Labor Electronics Certification.
5. Certificate of Congratulations.

28JAN03/ia



## DEPARTMENT OF THE AIR FORCE

3d COMBAT COMMUNICATIONS GROUP (ACC)  
TINKER AIR FORCE BASE, OKLAHOMA

17 October 1996

MEMORANDUM FOR [REDACTED], 31 CCS

FROM: 31 CCS/CC  
Tinker AFB OK 73145

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Unsatisfactory Performance. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.26.3, Failure to Progress in On-The-Job Training. If my recommendation is approved, your service will be characterized as honorable or general. I am recommending that your service be characterized as honorable.

2. My reasons for this action are:


a. On 20 Nov 95, you were enrolled in CDC Course number 30457A. You were given time to work and review your CDC materials. You studied each unit, then your supervisor would review the exercise with you. All of the missed questions on the pre-quizzes were identified and extra study time was given to you to look up the correct answers. You also attended mandatory supervised study and reviewed the materials one hour each evening at home. There was no appearance of an understanding problem. Your supervisor felt certain you were ready to take the final test over the course materials and on 10 May 96, you did so. You failed to pass the first testing of CDC Course number 30457A. Your score on that test was 55%. A passing score is 65%. See Atch 1.

b. To prepare for the second CDC Course number 30457A testing, you outlined all of the areas missed on the first test and you studied those two to three hours each evening at home. You were given a minimum of two hours each morning to further study and review the materials. You appeared to utilize your study time wisely in preparing yourself for the second test. There was no appearance of poor reading comprehension. On 6 Aug 96, you were notified that you had failed the second testing by making a score of 48%. That score was 7% less than the score you made on the first test. A passing score is 65%. Your supervisor stated he believes you do not have an aptitude for the CDC course materials and he has recommended administrative discharge action. See Atch 2.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction, or a higher authority, will decide whether you will be discharged or retained in the Air Force and, if you are

discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment.

3. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made tentative arrangements for you to consult the Area Defense Counsel, at Bldg 452, Tinker AFB OK on 21 Nov 96, at 0900 hours. If it is necessary to change this appointment time, call the Area Defense Counsel Office at 405/739-7713. It would be wise to call the Area Defense Counsel Office before meeting that appointment to verify the time. You may consult civilian counsel at your own expense.
4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 22 October 1996, unless you request and receive an extension for good cause shown. I will send them to the separation authority.
5. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.
6. You were scheduled for a medical examination on 9 Oct 96, and you should have reported to the Tinker AFB Hospital, Physical Exam Section, on that date for the examination.
7. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use in the orderly room.
8. Execute the attached acknowledgment and return it to me immediately.

  
USAF  
Commander, 31 CCS

Attachments:

1. CDC Failure #1
2. CDC Failure #2