

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT

SUMMARY:

The applicant was discharged on 19 October 2009 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with an Honorable Discharge for Unsatisfactory Performance. The applicant appealed to change the reentry code.

The applicant was not represented by counsel.

The applicant requested the board be completed based on a records only review. The Board was conducted on 15 February 2024.

The attached examiner's brief (provided to applicant only), extracted from available service records, contains pertinent data regarding the circumstances and character of the applicant's military service.

DISCUSSION: The Discharge Review Board (DRB), under its responsibility to examine the propriety and equity of an applicant's discharge, is authorized to change the characterization of service and the narrative reason for discharge if such changes are warranted. If applicable, the board can also change the applicant's reentry code. In reviewing discharges, the board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence to rebut the presumption, to include evidence submitted by the applicant. The Board completed a thorough review of the circumstances that led to the discharge and the discharge process to determine if the discharge met the pertinent standards of equity and propriety.

The applicant's record of service includes a Letter of Counseling for Dereliction in the Performance of Duties and a Letter of Reprimand for failing the Course Development Course Failure (2nd Offense).

The documentary evidence the Board considered as part of the review includes, but is not limited to the DD Form 293, *Application for the Review of Discharge from the Armed Forces of the United States*, and any additional documentation submitted by applicant and/or counsel; the applicant's personnel file from the Automated Records Management System (ARMS); and the DRB Brief detailing the applicant's service information and a summary of the case.

The applicant is keen to continue their military service and is requesting approval for a change to the reentry code to facilitate reentry. Reflecting on the second opportunity for the Career Development Course (CDC), the applicant points out challenges encountered in grasping the wording of certain questions and comprehending sections in volumes 4 and 5 of their CDC. These sections covered topics unrelated to their daily duties in Operations Resource Management. The applicant underscores their efforts to address these difficulties, devoting additional time to studying for one and half hours each duty day. Despite these endeavors, the applicant acknowledges the specific challenges encountered understanding certain test questions. Nonetheless, they express confidence in their answers since the initial failure. In seeking reentry opportunity, the applicant communicates a determination to surmount obstacles, actively engage in the learning process, and demonstrate a committed and persistent attitude toward enhancing their knowledge and skills in the relevant areas.

After a thorough review of the evidence of record, the DRB concluded that the Applicant's discharge was inappropriate due to an error of discretion. According to DODI 1332.28, E4.2.1.1, the Applicant failed multiple Career Development Course examinations despite receiving significant support from the squadron. The Applicant's Commander initiated discharge proceedings after a second failure as was authorized in the

discharge instruction. However, given the fact the applicant was within three points of passing his CDC test on the second try, the majority of the Board determined the commander committed an error of discretion in that the commander could have granted a waiver to allow the applicant a third attempt at the CDC test, given the applicant's significant improvement in the second attempt. Recognizing this improvement, the Board found it to be just as likely as it was not that the applicant would have passed the CDC test on his third attempt had the commander granted the waiver.

The DRB voted 2 to 1 to *approve* the applicant's request to change the reentry code.

After a thorough review of the available evidence, to include the Applicant's issues, summary of service and discharge process, the Board found an impropriety in the matters leading to the discharge. Therefore, the reentry code shall change to "3K." The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 4 Mar 24. If desired, the applicant can request a list of the board members and their votes by writing to:

Air Force Review Boards Agency
Attn: Discharge Review Board
3351 Celmers Lane
Joint Base Andrews, NAF Washington, MD 20762-6602

Instructions on how to appeal an AFDRB decision can be found at <https://afrbaportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)