



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY

USAF AI 36-3504_USAF AGM 2016-01

23 June 2016

MEMORANDUM FOR ALL USAFA UNITS

FROM: HQ USAFA/CC
2304 Cadet Drive, Suite 3300
USAF Academy CO 80840

SUBJECT: United States Air Force Academy (USAFA) Guidance Memorandum 1 to USAFAI 36-3504, *Disenrollment of United States Air Force Academy Cadets*

1. By Order of the Superintendent of the Air Force Academy, this guidance memorandum is issued to immediately change USAFAI 36-3504. Compliance with this memorandum is mandatory. To the extent its directions are inconsistent with other USAFA publications; the information herein prevails, in accordance with (IAW) AFI 33-360, *Publications and Forms Management*.
2. Ensure all records created as a result of processes prescribed in this GM are maintained IAW Air Force Manual 33-363, *Management of Records*, and disposed of IAW the Air Force Records Disposition Schedule.
3. This GM issues guidance on the processes and procedures for suspending United States Air Force Academy cadets from cadet duties. This memorandum becomes void after one year has elapsed from the date of this memorandum, or upon publication of an interim change or rewrite of the affected publication, whichever occurs earlier.

MICHELLE D. JOHNSON
Lieutenant General, USAF
Superintendent

Attachment:
Suspension Instructions/Procedures

Attachment

PROCEDURES FOR SUSPENDING CADETS FROM CADET DUTIES

The below changes to USAFAI 36-3504, dated 30 July 2015, are effective immediately.

33. (Added) Indefinite Suspension of Cadets from All Cadet Duties and/or Cadet Area.

33.1. Overview. Suspension includes, but is not limited to, limitations on attendance at academic classes, participation in athletic programs or extracurricular activities, and access to the USAFA Cadet Area. Suspension may be warranted in cases where a cadet is pending separation from the Academy, where a cadet is pending return to the Academy to repeat an academic semester or year, or for other good cause, including cadet misconduct. Cadets suspended IAW this instruction remain in cadet status until other actions are taken. Cadets may still request turnback IAW USAFAI 36-2007, *Application for and Administration of Cadet Turnback Program*. Suspension is not a punishment and should not be used when pretrial confinement or less restrictive measures would be more appropriate. Cadets may be restricted from participation in athletic, extracurricular or other programs under other authorities, and such actions do not constitute an “indefinite suspension” under this guidance.

33.1.1. Initial Suspension. An initial suspension is an involuntary action in which the Commandant of Cadets removes a cadet from all cadet duties and the cadet area based on the criteria in paragraph 33.4. The initial suspension is limited in duration and is subject to the review of the Superintendent.

33.1.2. Indefinite Suspension from All Cadet Duties. An indefinite suspension is an involuntary action based on serious misconduct to indefinitely remove a cadet from all cadet duties and activities and deny access to the cadet area. It is only to be used when disenrollment, involuntary administrative discharge, pretrial confinement, no contact orders, or other restrictive measures are not available, appropriate, or sufficient to provide for the safety of others and/or the preservation of good order and discipline. The Superintendent, USAFA is the final suspension authority.

33.1.3. The procedures in this USAFAI apply only to indefinite suspensions from all cadet duties and/or the cadet area. Nothing in this USAFAI is intended to limit the inherent authority of commanders, trainers, coaches, etc. to limit a cadet’s participation in other duties, to include, but not limited to: athletic teams or events, extracurricular activities, or academic courses. Ordinarily, prior to suspending a cadet from academics due to poor academic performance, an ARC shall first be convened.

33.1.4. For cases in which a cadet has already been recommended for disenrollment due to aptitude, academics, or physical fitness, but must remain at USAFA due to pending administrative or judicial proceedings, the Superintendent may suspend the cadet from specific activities if doing so is in the best interests of the Air Force. For example, if a cadet has been recommended for disenrollment by an ARC due to academic deficiencies, but remains at USAFA pending a court-martial, the Superintendent can hold the academic disenrollment in

abeyance, but still remove the cadet from academic classes, if doing so is in the best interests of good order and discipline and the Air Force.

33.2. Authority. Section 702 of Title 10, U.S.C., *Cadets and midshipmen*, permits the Secretary of the Air Force (or designee) to place an academy cadet on involuntary leave for any period during which the Superintendent has suspended the cadet from duty at the Academy pending separation, pending return to the Academy to repeat an academic semester or for other good cause.

33.3. Responsibilities.

33.3.1. Commandant of Cadets:

33.3.1.1. Serves as the Initiating Authority (IA) in all indefinite suspension actions. The IA determines whether the information presented warrants the initial suspension of a cadet, in coordination with the cadet's Air Officer Commanding (AOC), Group AOC (GAOC) and the Staff Judge Advocate (SJA) and after reviewing the factors in paragraph 33.4. If the IA determines the information does not warrant initial suspension of a cadet, no suspension shall occur. The IA may act upon information received through the SJA, any written complaint, or other source as discussed in paragraph 1.3.

33.3.1.2. After imposing an initial suspension, forwards the package to the Superintendent for final action on the suspension.

33.3.1.3. Develops and implements (after coordination with Mission Element leaders) a plan to ensure the care, supervision and safety of the suspended cadet during the period of suspension.

33.3.2. Superintendent, USAFA:

33.3.2.1. Serves as the Suspension Authority in all indefinite suspension actions. In cases of suspensions ordered by the IA, unless terminated by the IA within 48 hours, the Superintendent will review the IA's decision to suspend a cadet and will make the final determination on the suspension not later than 2 duty days after the IA submits a recommendation to the Superintendent to continue suspension.

33.3.2.2. Notifies the Secretary of the Air Force, SAF/MR, and AF/A1 of any indefinite suspension action.

33.3.2.3. In appropriate cases, makes a recommendation to AFRBA to place a suspended cadet on involuntary excess leave.

33.3.2.4. In appropriate cases, details a suspended cadet to 10 Air Base Wing (10 ABW) or another AF unit located in the Denver/Colorado Springs area with consent and coordination of the gaining unit's commander.

33.3.3. Staff Judge Advocate. The servicing SJA advises the IA and the Superintendent as to whether sufficient information exists to initiate immediate suspension of a cadet IAW this instruction.

33.4. Conditions Supporting Indefinite Suspension. Prior to initiating a suspension of any cadet, the IA shall ensure one of the following suspension criteria is met:

33.4.1. Pending separation from the Academy;

33.4.2. Pending return to the Academy to repeat an academic semester or year; or

33.4.3. For other good cause. If considering suspension for other good cause, the IA should consider the following:

33.4.3.1. The needs of good order and discipline of the Cadet Wing, including but not limited to the impact to the mission and/or the level of disruption the cadet's continued presence would cause in the Cadet Wing, the squadron, and/or the classroom.

33.4.3.2. The extent to which the cadet's continued presence would constitute a danger to the health, safety, or welfare of USAFA cadets, staff, faculty or personnel, or be detrimental to good order and discipline;

33.4.3.3. Information relating to the actual threat to the health, safety, or welfare a cadet poses to him/herself and other USAFA cadets, faculty, staff or personnel;

33.4.3.4. The cadet's record, including his or her academic, military, athletic, and disciplinary history;

33.4.3.5. Potential efficacy/appropriateness of less restrictive means including administrative actions, and Uniform Code of Military Justice (UCMJ) action(s);

33.4.3.6. Verbal reports; police reports; physical evidence; the contents of probable cause affidavits; or Reports of Investigation, from the Air Force Office of Investigations (AFOSI) or other investigating agency, if available;

33.4.3.7. The nature of any offense of which the cadet is suspected, accused or charged, such as state crimes or arrests involving felony-level misconduct; very serious misconduct involving a threat to the health, safety, or welfare of USAFA cadets, staff, faculty, or personnel; and/or breaches of good order and discipline.

33.4.3.8. Requests or statements from a victim or SVC IAW paragraph 33.5.

33.5. Initiating Suspension. The IA, when notified of a potential basis for suspension through any source, to include not limited to: a victim of a crime allegedly committed by the cadet or the cadet's chain-of-command, may initiate a suspension. Any USAFA cadet or other USAFA personnel who is a victim of a crime, including an individual who made an unrestricted report

of sexual assault, may request or provide information, personally, through the chain of command, or through a Special Victims' Counsel (SVC), if applicable, to the IA to initiate a suspension of a cadet who is the alleged perpetrator of the crime. Preferably, such requests or information will be in writing.

33.5.1. Once the IA reviews the criteria in paragraph 33.4., coordinates with the SJA, and considers the factors above, the IA may immediately suspend the cadet.

33.5.2. Prior to serving an initial suspension on any cadet, the IA must ensure the cadet's AOC, Academic Advisor, Peak Performance Center Counselor or other Mental Health counselor, and the Family Advocacy Officer (FAO) institute a safety plan for the cadet. In appropriate cases, at the discretion of the FAO, the High Risk for Violence Response Team may be activated IAW AFI 40-301, *Family Advocacy*.

33.5.3. The suspended cadet's chain-of-command, will work with the suspended cadet to ensure that the cadet is appropriately cared for and supervised during the initial suspension. The chain-of-command will also notify and coordinate with relevant mission elements (e.g. Dean of Faculty, Athletic Department). In doing so, the chain-of-command should be careful to balance the cadet's privacy interests, the integrity of any pending investigation/proceeding, and the respective mission element's need-to-know.

33.6. Notification to the Cadet upon Immediate Suspension. The IA may verbally notify the cadet of his/her initial suspension, but will follow-up with a written notification within 24 hours of the initiation of suspension. The written notification(s) should follow the sample in Attachment 11 and include the basis for, and condition(s) of, such suspension, along with the cadet's right to respond. The IA should provide a copy of the suspension notice to the cadet, with a courtesy copy to the Suspension Authority (Superintendent), the cadet's AOC, GAOC, and the SJA.

33.7. Cadet's Rights When Notified of Initial Suspension.

33.7.1. Written Notification. Within 24 hours of a verbal notification, the IA will provide the cadet with written notification of the initial suspension and include the basis for, and conditions of, such suspension along with any releasable supporting evidence. In the written notification, the IA shall also advise the cadet where a copy of this instruction may be found for the cadet's use.

33.7.1.1. Special Notification Requirements Relating to Cadets Who Have Made an Unrestricted Report of Sexual Assault. A cadet who receives notification of an Immediate Suspension under this Chapter must also be advised of the right to request review by the General Court-Martial Convening Authority (GCMCA) if the cadet believes the IA's suspension decision was initiated in retaliation for having made an unrestricted report of a sexual assault within the last 12 months as of the date of the Immediate Suspension.

33.7.2. Representation. The cadet may consult the servicing Area Defense Counsel. Military legal counsel will be available to the cadet without charge. The cadet may consult civilian

counsel at his or her own expense.

33.7.3. Response. The cadet may present any matters in response to the written notification of the initial suspension within 48 hours of receiving the written notification; or by 0800 MST on the next duty day following expiration of the 48-hour period, whichever is later. The IA will review and consider all matters submitted by the cadet to determine whether to continue the conditions of initial suspension and recommend that the Superintendent continue suspension of the cadet.

33.8. IA's Actions Following Cadet's Response. After reviewing the matters submitted by the cadet, the IA will either rescind the suspension or submit his/her recommendation of continued suspension to the Superintendent. If the IA recommends that the Superintendent continue the suspension, the IA will:

33.8.1. Prepare a recommendation to the Superintendent, after consultation with the SJA, regarding continued suspension (following the template in Attachment 14) within 24 hours of receipt of the cadet's response, or within 24 hours after the time for response expires. The recommendation shall include all supporting documentation, any matters submitted by the cadet, and if applicable, a written summary of any verbal presentation made by the cadet to the IA.

33.8.2. Provide the cadet written notice of the recommendation that the IA is making to the Superintendent. If the IA attached any additional releasable evidence to the Superintendent that was not previously provided to the cadet, such evidence shall be provided to the cadet with the notice of the recommendation. Use the template provided at Attachment 12.

33.8.3. Obtain a receipt for the notification letter following Attachment 13.

33.9. Suspension Determination. The Superintendent will consider all matters submitted by the cadet and the IA and provide the cadet with a response within 2 duty days. The Superintendent can rescind the initial suspension, continue the suspension, or convene the Academy Board for a recommendation. If the Superintendent decides to continue the suspension, the Superintendent shall specify the terms of the suspension. See template at Attachment 15. The Superintendent is the final suspension authority.

33.9.1. Academy Board Review. The Superintendent may consult the Academy Board and request the Academy Board review the final suspension determination. The Academy Board recommends an appropriate disposition. The Superintendent shall consider, but is not bound by, the Academy Board's recommendation.

33.9.2. Senior Leader Notification. If the Superintendent determines that indefinite suspension of a cadet is appropriate, the Superintendent shall immediately notify the Secretary of the Air Force, SAF/MR, AFRBA, and AF/A1 of the indefinite suspension, to include the underlying circumstances, and any anticipated request to place the suspended cadet on involuntary excess leave.

33.9.3. Victim/Witness Notification. In accordance with AFI 51-201, *Administration Military Justice*, and Article 6b, *Uniform Code of Military Justice*, any victim or witness to a crime allegedly committed by the suspended cadet shall be notified of the final decision concerning the cadet's suspension.

33.10. Actions by the Cadet After Receiving Notice of the Superintendent's Decision:

33.10.1. Acknowledge receipt of the notification letter.

33.10.2. Consult the defense counsel, if desired.

33.10.3. Request reconsideration under paragraph 33.4.6.2.

33.11. Request for Reconsideration After Suspension Decision. The cadet may request the Superintendent reconsider the suspension upon a significant change in circumstances from those the Superintendent considered upon making the suspension decision. Reconsideration requests should be rare and only for cases where new, compelling and not otherwise available evidence has been brought to light that the Superintendent desires the Academy Board consider. The Superintendent may, at his or her discretion, decline the request, accept the request and reconsider the original decision, or ask the Academy Board to consider any request for reconsideration and provide a recommendation. The Cadet will route the reconsideration request through the cadet's AOC. The cadet's AOC will forward the reconsideration request, along with any comments, to the USAFA/CW, USAFA/JA, to USAFA/CC.

33.12. Reassignment. If the conditions of the suspension include a reassignment to other than cadet duties and/or removal from the cadet area, the cadet's chain-of-command will coordinate with 10 ABW and HQ USAFA/A1A to find suitable lodging and/or work accommodations. The cadet's AOC will continue to provide regular status updates as required to HQ USAFA/A1A and the Commandant of Cadets, to include information regarding a cadet's well-being, work location, and duty status.

33.12.1. In the event that reassignment to 10 ABW is unworkable or inappropriate, the Superintendent may detail a suspended cadet to another AF unit located in the Denver or Colorado Springs area with the consent of that unit's commander.

33.12.2. If the Superintendent determines that a suspended cadet should remain in the cadet area during the suspension or pending decision by AFRBA on involuntary excess leave, the cadet's chain-of-command may reassign the cadet to Admin Flight and/or place limitations on the cadet's access to certain locations within the cadet area.

33.13. Involuntary Excess Leave Without Pay. In accordance with 10 U.S.C. § 702(b), if the Superintendent indefinitely suspends a cadet, a package may be sent to AFRBA requesting that the Respondent be placed on involuntary excess leave without pay for any period the cadet has been suspended from cadet duties at the Academy.

33.14. Return to Cadet Status. If the Superintendent terminates the cadet's suspension,

personnel from the Cadet Wing, Dean of Faculty, and Athletic Department will meet to discuss the cadet's reintegration process. The cadet may be returned to cadet duties, with or without limitations, and re-enrolled in classes.

33.15. Releasability. The information considered by the IA, the Superintendent, or the Academy Board, any resulting report or recommendation from the IA, the Superintendent, or the Academy Board, and the Superintendent's decision to suspend are subject to the protections of the Privacy Act and the Freedom of Information Act.

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

(Added) Title 10, U.S.C., Chapter 40, § 702, *Cadets and midshipmen*

(Added) AFI 51-201, *Administration of Military Justice*, 6 June 2013

Terms

(Added) **Indefinite Suspension from All Cadet Duties and Activities**—an involuntary action based on serious misconduct to indefinitely remove a cadet from all cadet duties and activities and deny access to the cadet area. It is only to be used when disenrollment, involuntary administrative discharge, pretrial confinement, no contact orders, or other restrictive measures are not available, appropriate, or sufficient to provide for the safety of others and/or the preservation of good order and discipline.

Attachment 11 (Added)

NOTIFYING A CADET OF INITIAL SUSPENSION

Use this memorandum for the Initiating Authority to notify a cadet of initial suspension.

DATE

MEMORANDUM FOR (Cadet's grade, name, SSN, and squadron)

FROM: USAFA/CW

SUBJECT: Notification of Initial Suspension

1. I am immediately suspending you from (all Cadet Wing academics),(all athletic activities), (all extracurricular club activities),(residing in the Cadet dormitories) and (other) and ordering you to refrain from otherwise entering the Cadet Area at the United States Air Force Academy, unless approved by me. I find that your conduct and continued presence (constitutes a danger to the health, safety, or welfare of USAFA cadets, staff, faculty or personnel) (is detrimental to the good order and discipline of the Cadet Wing).

2. Effective upon receipt of this letter, you are ordered not to enter or be found within the limits of (all Cadet Wing academics),(all athletic activities), (all extracurricular club activities),(residing in the Cadet dormitories), (the Cadet Area, part of a United States military reservation at the United States Air Force Academy, Colorado).

3. If you fail to abide by this order, you may be subject to action for violating a lawful general order under Article 92, Uniform Code of Military Justice (UCMJ). You may seek medical and mental health treatment at the 10th Medical Group, 4102 Pinion Drive, United States Air Force Academy, Colorado.

4. My reasons for this actions are:

a. (List here with specificity)

5. I have reviewed the following information when making this decision, which is also attached to this notification:

a. (List here with specificity)

6. I have also reviewed the following information from your military record:

a. Date of entry to Academy, pay-date, TAFMSD, and dates of prior service (if applicable, including Prep School);

b. Date of Birth;

- c. Test scores;
- d. Date assigned unit;
- e. Current cadet grade;
- f. Record of disciplinary actions;
- g. Favorable communications, citations, or awards;
- h. Derogatory data, other than action by court-martial or under Article 15, UCMJ;
- i. Military performance average; and
- j. Physical education average; and
- k. Grade point average.

7. You have the right to consult counsel. Military legal counsel is available to assist you at 333-2481. You may consult civilian counsel at your own expense.

8. You may present any matters in response to this written notification of Initial Suspension within 48 hours of receiving the written notification. I will review and consider all matters you submit to determine whether to continue the conditions of Immediate Suspension. This is the only opportunity you will receive to submit matters to me. Also this is your only opportunity to submit matters for consideration by the Superintendent, in the event that I order a continued Suspension and recommend to the Superintendent that s/he continue your suspension. You may request reconsideration at any time, under the guidance contained herein.

9. Any personal information you provide to me is covered by the Privacy Act of 1974. A copy of (this USAFAI), which applies to this matter, is available for your use online at www.e-publishing.af.mil.

(NAME), Brig Gen, USAF
Commandant of Cadets

Attachments: (list here)

1st Ind (Cadet's grade, name)

MEMORANDUM FOR USAFA/CW

I acknowledge receiving the Notification of Initial Suspension, dated _____ at_(hour)
on _____(date).

FIRST I. LAST, CS-X, USAF

cc:
USAFA/CC
USAFA/JA
GAOC AOC

Attachment 12 (Added)

NOTIFICATION OF SUPERINTENDENT'S REVIEW

Use this memorandum for the Initiating Authority to notify cadets of the Initiating Authority's recommendation that the Superintendent suspend the cadet.

DATE

MEMORANDUM FOR (Cadet's grade, name, SSN, and squadron)

FROM: USAFA/CW

SUBJECT: Notification of Recommendation for Continued Suspension

1. I am recommending your continued suspension from (all Cadet Wing academics), (all athletic activities), (all extracurricular club activities), (residing in the Cadet dormitories) and (other). The Superintendent will review my decision to immediately suspend you along with my recommendation to continue your suspension. The Superintendent will determine whether your suspension should continue. If you are suspended, the Superintendent may request that the Secretary of the Air Force place you on involuntary excess leave without pay for the period you were suspended.

2. The basis for this recommendation follows:

a. You meet the initial requirement for suspension IAW Title 10 U.S.C. Section 702(b): (Pending separation from the Academy)(Pending return to the Academy to repeat an academic semester or year) or (For other good cause).

b. In reaching this decision, I reviewed and found the following information supports my recommendation:

1) (Describe the verbal reports; police reports; physical evidence; the contents of probable cause affidavits; or Reports of Investigation, from the Air Force Office of Investigations (AFOSI) or other investigating agency, if available);

2) (Describe complaints by a victim or SVC IAW paragraph 1.3.);

3) (Describe any information relating to the actual threat to the health, safety, or welfare a cadet poses to him/herself and other USAFA cadets, faculty, staff or personnel;

4) (Describe the cadet's record, including his or her academic, military, athletic, and disciplinary history);

5) (Describe the potential efficacy/appropriateness of lesser restrictive means, administrative actions, and UCMJ action(s); and

6) (Describe how the suspension does/does not benefit the needs of good order and discipline, including impact to the mission and/or the level of disruption the cadet's continued presence would cause in the Cadet Wing, the squadron, and the classroom).

3. You remain subject to my previous order not to enter or be found within the limits of (all Cadet Wing academics),(all athletic activities), (all extracurricular club activities),(residing in the Cadet dormitories), (the Cadet Area, part of a United States military reservation at the United States Air Force Academy, Colorado). You also remain subject to my order to refrain from making any contact with [Name(s)]. For purposes of this order, "any contact" includes, but is not limited to, communication in person, through a third party, via face-to-face contact, telephone, verbal or non-verbal gestures, or in writing by letter, fax, texting, electronic mail, social media or any other form of media. You will remain clear of them at all times. If you fail to abide by this order, you may be subject to action for violating a lawful general order under Article 92, Uniform Code of Military Justice (UCMJ). You may continue to seek medical and mental health treatment at the 10th Medical Group, 4102 Pinion Drive, United States Air Force Academy, Colorado.

4. I remind you of the following:

a. You may consult counsel. Military legal counsel is available to assist you at no charge and can be contacted at 333-2481. You may consult civilian counsel at your own expense.

b. You will receive copies of all documents considered by me or by the Superintendent to the extent such documents are releasable. The Superintendent and I may consider privileged, investigatory, Privacy Act or other sensitive information that may not be released to you.

c. If you submitted any evidence to me in response to my initial suspension, I will provide those to the Superintendent. If you provided any non-documentary evidence, I will provide it to the Superintendent in a summary form.

5. If you have made an unrestricted report of sexual assault within the last 12 months and believe this recommendation for suspension was initiated in retaliation for making that report, you have the right to request review of this recommendation by the commander exercising General Court-Martial Convening Authority (GCMCA). If you request this review, the commander exercising GCMCA or higher authority will review the circumstances of, and grounds for, the recommendation for suspension and decide whether you will be suspended from the Air Force Academy.

6. Any personal information you provide is covered by the Privacy Act of 1974. A copy of (this USAFAI) is available for your use online at www.e-publishing.af.mil.

7. Execute the attached acknowledgment and return it to me immediately.

(NAME), Brig Gen, USAF

Commandant of Cadets

Attachments:

1. (LIST) (should include all documents the Superintendent will consider)

cc:

USAFA/CC

USAFA/JA

GAOC AOC

Attachment 13 (Added)

RECEIPT OF NOTIFICATION OF SUPERINTENDENT'S REVIEW

Use this memorandum for cadets to acknowledge the notification memorandum of the Superintendent's review of the Initiating Authority's recommendation to continue suspension.

DATE

MEMORANDUM FOR USAFA/CW

FROM: (Cadet's grade, name, SSN, and squadron)

SUBJECT: Receipt of Notification of Superintendent's Review

1. I received the notification memorandum, dated _____, at _____ (hours) on _____ (date), informing me that the Commandant of Cadets recommended my continued suspension in accordance with the provisions of Title 10 U.S.C. Section 702(b) and USAFAI XX- XXXX.

2. I acknowledge that:

- a. I have received copies of any releasable documents considered in support of my suspension.
- b. I have been given an opportunity to consult military legal counsel.

3. I understand that:

- a. This action may result in my continued suspension from the United States Air Force Academy.
- b. If I am suspended, the Superintendent may request that the Director, Air Force Review Boards Agency place me on involuntary excess leave without pay during the time I am suspended.
- c. My failure to consult counsel will constitute a waiver of my right to do so.

FIRST I. LAST, CS-X, USAF

Attachment 14 (Added)

INITIATING AUTHORITY'S RECOMMENDATION

Use this sample to prepare the findings and recommendations for the Initiating Authority's recommendation to the Superintendent.

MEMORANDUM FOR USAFA/CC

FROM: USAFA/CW

SUBJECT: Recommendation for Suspension of (Cadet's grade, name, SSN, and squadron)

1. I initiated an Immediate Suspension against (Cadet's grade, name, SSN, and squadron) on (date)(time). I am recommending you continue (Cadet's grade, name)'s suspension from (all Cadet Wing academics), (all athletic activities), (all extracurricular club activities), (residing in the Cadet dormitories) and (other).
2. The specific reasons and supporting evidence for my recommendation for (Cadet's grade, name) continued suspension are contained in Attachment 1, *Notification of Recommendation for Continued Suspension*. Any evidence provided by Cadet (Cadet's Name) is attached or summarized, as appropriate, for your consideration.
3. I notified (Cadet's grade, name) that I have recommended continued suspension.

(NAME), Brig Gen, USAF
Commandant of Cadets

Attachments:

1. Notification of Recommendation for Continued Suspension w/ atchs
2. Notification of Immediate Suspension w/ atchs
3. (Respondent's submissions)

cc:

AOC
GAOC
SJA

Attachment 15 (Added)

SUPERINTENDENT'S DECISION

Use this sample memorandum for the Superintendent to provide the Respondent a final notification of suspension or termination of suspension.

DATE

MEMORANDUM FOR (Cadet's grade, name, SSN, and squadron)

FROM: USAFA/CC

SUBJECT: Notification of Suspension/Termination of Suspension

1. I reviewed the Initiating Authority's Notification of Immediate Suspension, dated_____, along with the Initiating Authority's recommendation that I continue your suspension, dated_ __. (I have also reviewed your submissions). I am hereby suspending you/terminating your suspension.
2. *(If terminated)* Effective immediately, you may return to cadet duties and re-enroll in classes.

Or

2. *(If suspended)* Effective immediately, you are suspended from (all Cadet Wing academics),(all athletic activities), (all extracurricular club activities),(residing in the Cadet dormitories) and (other) and ordering you to refrain from otherwise entering the Cadet Area at the United States Air Force Academy, unless approved by me. I find that your conduct and continued presence (constitutes a danger to the health, safety, or welfare of USAFA cadets, staff, faculty or personnel) (would be a detriment to the good order and discipline of the Cadet Wing).
3. *(If suspended)* Effective upon receipt of this letter, you are ordered not to enter or be found within the limits of (all Cadet Wing academics),(all athletic activities), (all extracurricular club activities),(residing in the Cadet dormitories), (the Cadet Area, part of a United States military reservation at the United States Air Force Academy, Colorado).
4. *(If suspended)* If you fail to abide by this order, you may be subject to action for violating a lawful general order under Article 92, Uniform Code of Military Justice (UCMJ). You may seek medical and mental health treatment at the 10th Medical Group, 4102 Pinion Drive, United States Air Force Academy, Colorado.
5. *(If suspended)* In accordance with Title 10 U.S.C. Section 702(b), I am / am not requesting that the Director, Air Force Review Boards Agency place you in involuntary excess leave without pay for any period of time that I have suspended you from duty at the Academy. In lieu of involuntary excess leave, you may request to go on a voluntary turnback for the duration of your suspension.

6. (*If suspended*) You may request that I reconsider your suspension upon a significant change in circumstances from the facts and circumstances I reviewed to reach my decision to suspend you. I may, at my discretion, ask the Academy Board to review any request for reconsideration.

(NAME),
Lieutenant General, USAF
Superintendent

**BY ORDER OF THE
SUPERINTENDENT**

**HQ UNITED STATES AIR FORCE
ACADEMY INSTRUCTION 36-3504**

30 JULY 2015

Personnel



**DISENROLLMENT OF UNITED STATES
AIR FORCE ACADEMY CADETS**

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(Mr. Aaron T. Haase)

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This instruction implements Air Force Policy Directive (AFPD) 36-20, *Accession of Air Force Military Personnel*, Department of Defense Directive (DoDD) 1332.23, *Service Academy Disenrollment*, and Air Force Instruction (AFI) 36-3504, *Disenrollment of United States Air Force Academy Cadets*, by providing direction for administratively disenrolling, transferring, and discharging cadets from the United States (US) Air Force Academy, for those cadets who do not satisfy the conditions of enrollment and/or commissioning. This publication has limited applicability to Air Force Reserve Command (AFRC) and/or the Air National Guard (ANG). Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using AF Form 847, Recommendation for Change of Publication, route AF Form 847 from the field through the appropriate functional chain of command. The authorities to waive requirements in this publication are identified with a Tier 3 number following the compliance statement. See AFI 33-360, *Publications and Forms Management*, for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority. The waiver authority for non-tiered requirements in this publication is the (USAFA/JA). Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule (RDS). This instruction directs collecting and maintaining information subject to the Privacy Act of 1974 authorized by 10 U.S.C. 8013, Secretary of the Air Force and DoDD 1332.23. System of Records F036 USAFA A applies.

SUMMARY OF CHANGES

This document has been substantially revised and the processes and procedures involved in the disenrollment and discharge of cadets and must be completely reviewed. This instruction must be read in conjunction with AFI 36-3504.

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1. Overview. The purpose of this instruction is to provide procedural guidance to address the disposition of cadets who fail to meet United States Air Force Academy standards. Specifically, it provides the processes for disenrollment, transfer and discharge, to include resolution of the following issues: Should a cadet be disenrolled from the Academy? If so, should the cadet nonetheless be retained in the Air Force in some capacity other than that of a cadet? If the cadet should be retained in the Air Force, to what part of the Air Force should the cadet be transferred? If the cadet should not be retained in the Air Force, how should discharge from the Air Force be accomplished, what characterization of discharge is appropriate, and how much, if any, of the cost of the cadet’s Academy education be charged to the cadet? Careful attention to the processes provided should ensure fair and appropriate outcomes for individual cadets and the institution.

2. Authority. Chapter 903 of Title 10, U.S.C., United States Air Force Academy is the authority for disenrolling, transferring, and discharging United States Air Force Academy (USAFA) cadets.

2.1. The Secretary of the Air Force, or a designee, approves all disenrollments, transfers, and discharges. References to the Secretary of the Air Force in this instruction include an official designated by the Secretary to approve/disapprove disenrollments or take other actions specified in this instruction and AFI 36-3504.

2.1.1. The Secretary of the Air Force may direct the disenrollment, transfer, and/or discharge of any cadet, if the Secretary determines that such action is in the best interest of the Air Force.

3. Responsibilities. The Secretary of the Air Force and the Assistant Secretary of the Air Force for Manpower and Reserve Affairs (SAF/MR) oversee these responsibilities:

3.1. The Superintendent, USAFA in addition to responsibilities listed in AFI 36-3504:

3.1.1. Establishes graduation and commissioning standards.

3.1.2. Implements training and education programs to ensure cadets' success.

3.1.3. Serves as a disenrollment authority under delegated authority received from the Secretary of the Air Force, through SAF/MR and the Director, Air Force Review Boards Agency (AFRBA).

3.1.3.1. Will notify the Secretary of the Air Force, through SAF/MR and AFRBA, in writing before approving disenrollment, transfer, and/or discharge in any case identified as being of high sensitivity or having the potential for significant Congressional or public interest.

3.2. Commandant of Cadets (Commandant) or designee.

3.2.1. The Commandant evaluates cadets:

3.2.1.1. Who engage in misconduct;

3.2.1.2. Whose conduct or aptitude for commissioned service is questionable;

3.2.1.3. When their weight, body mass index (BMI), or body fat does not meet Academy cadet standards;

3.2.1.4. Whose performance or conduct shows questionable aptitude for commissioned service;

3.2.1.5. Who have been diagnosed with a medical condition or disorder that interferes with military service and makes them unsuited or medically unfit for military service.

3.2.1.6. Who earn unsatisfactory scores on the United States Air Force (USAF) Commissioning Fitness Assessment.

3.2.2. The Commandant may:

3.2.2.1. Direct corrective measures, including conduct and aptitude probation.

3.2.2.2. Place cadets on, or remove them from, conduct and aptitude probation.

3.2.2.3. Implement other appropriate measures.

3.2.2.4. Recommend disenrollment of, or denial of graduation to, a cadet who engages in misconduct, is deficient in conduct and/or aptitude, fails to meet USAFA cadet weight, BMI, or body fat standards, fails to earn a passing score on an USAF Commissioning Fitness Assessment, or has a condition that makes them unsuited or medically unfit for military service. See Attachment 7.

4. The Academy Board:

4.1. USAFA Directorate of Manpower and Personnel (USAFA/A1) and USAFA Staff Judge Advocate (USAFA/JA):

4.1.1. Ensure the Air Force Academy complies with Department of Defense (DoD) and Air Force Guidance on disenrolling, transferring, and/or discharging cadets.

4.2. USAFA Committees. The following boards and committees evaluate and sometimes make recommendations on cadet deficiencies in academics, athletic, conduct, aptitude, and military training to determine a cadet's suitability for commissioned service.

4.2.1. Academic Review Committee (ARC). The ARC evaluates cadets who are deficient in academics. The ARC may:

4.2.1.1. Direct extra instruction or special training.

4.2.1.2. Monitor cadets on academic probation.

4.2.1.3. Implement other appropriate measures.

4.2.1.4. Recommend disenrollment of or denial of graduation to, a cadet whose academic deficiency shows a lack of aptitude for commissioned service.

4.2.2. Physical Education Review Committee (PERC). The PERC evaluates cadets whose physical fitness or performance in physical education or intramural training is deficient. The PERC may:

4.2.2.1. Direct corrective measures, including athletic probation.

4.2.2.2. Place cadets on, or remove them from, athletic probation.

4.2.2.3. Implement other appropriate measures.

4.2.2.4. Recommend disenrollment of, or denial of graduation to, a cadet who is deficient in physical fitness or performance in physical education or intramural training.

4.2.3. Summer Training Review Committee (STRC). The STRC evaluates cadets whose performance or conduct during cadet summer training programs shows questionable aptitude for commissioned service. The STRC may:

4.2.3.1. Direct corrective measures, including probation.

4.2.3.2. Refer cadets for possible disenrollment.

5. Conditions Supporting Disenrollment. The Secretary of the Air Force can end the service of a USAFA cadet when the Secretary determines it is in the best interest of the Air Force. Any

organization discovering disenrollment eligible conditions should identify such cadets as early as practical and take proper corrective, disenrollment, discharge, or court-martial action promptly.

5.1. The Air Force disenrolls cadets who:

- 5.1.1. Fail to comply with their Academy enrollment agreement to complete the graduation requirements of USAFA and accept an Air Force commission; or
- 5.1.2. Don't show potential for commissioned service; or
- 5.1.3. Fail to abide by established Air Force standards of conduct; or
- 5.1.4. Are determined to be medically unfit for continued service or are determined to be unsuited for continued service due to other reasons.

5.2. A decision to disenroll, accept a resignation, or discharge a cadet according to this instruction constitutes a finding the cadet has broken the agreement to complete the course of instruction at the Academy, as contemplated by 10 U.S.C. § 9348(a), Cadets agreement to serve as officers. In accordance with DoDD 1332.23, paragraph 6.1.4.2., a cadet disenrolled as a result of being found medically unfit for further military service, not due to the cadet's misconduct, shall be discharged and shall not be obligated further for Military Service or for reimbursing education costs (absent evidence of fraud, concealment, gross negligence, intentional misconduct, or misrepresentation). The terms of the agreement are contained in Record of Acceptance and Oath of Allegiance. Contact USAFA/JA for agreement.

5.2.1. The Secretary of the Air Force, or a designee, decides whether disenrolled cadets with an Active Duty Service Commitment receive collateral consequences IAW AFI 36-3504, paragraph 6 and below:

- 5.2.1.1. An involuntary order to enlisted active duty; or
- 5.2.1.2. A financial reimbursement obligation; or
- 5.2.1.3. An educational delay for the purpose of allowing the disenrolled cadet to obtain an alternative commissioning source.

6. Enrollment and Disenrollment Acknowledgements.

6.1. Each cadet who enters the Academy signs the Record of Acceptance, Obligation, Reimbursement and Oath of Allegiance agreeing to:

- 6.1.1. Complete the course of instruction.
- 6.1.2. Serve as a commissioned officer for at least five years.
- 6.1.3. Accept an appointment in the Regular Air Force or Air Reserve Component (ARC) and a Military Service Obligation not to exceed eight years of service from the Total Active Military Service Date.
- 6.1.4. If disenrolled prior to graduation, serve on active duty as an enlisted member in the Air Force Reserve or Active Component, for a period of time as specified by the Secretary of the Air Force; or, at the election of the Secretary of the Air Force, or a designee, reimburse the United States for education costs:
 - 6.1.4.1. When it is determined by the Secretary of the Air Force, or a designee, that fulfillment of the active duty service obligation by the cadet would not be in the best

interests of the Air Force, due to misconduct on the part of the cadet and the cadet is discharged; or

6.1.4.2. If the cadet requests and receives a voluntary disenrollment.

6.2. Cadets who enter USAFA from an enlisted status in the regular or reserve component of any military service and who fail to fulfill their Academy enrollment agreement incur an active duty service commitment (ADSC) in return for education at the Academy to run concurrently with any previous ADSC incurred.

6.3. The Secretary of the Air Force, or a designee, assigns active duty as the primary means of reimbursement for education. The Secretary of the Air Force, or a designee, may require cadets who do not serve on active duty (due to the nature of their misconduct or because they successfully request relief from the active duty service obligation) to reimburse the Government for the cost of their education, as determined by applicable finance instructions, or grant educational delay for the purpose of allowing the disenrolled cadet to obtain an alternative commissioning source.

6.4. Because reimbursement is a debt to the United States in accordance with DoDD 1332.23, a discharge in bankruptcy under 11 U.S.C. 523, *Authorized strengths*, might not release a person from having to reimburse the United States if the final decree of bankruptcy takes effect within a period of five years after the last day of a period the cadet agreed to serve on active duty.

7. Pre-Appointment Misconduct. The USAFA Director of Admissions (USAFA/RR) may deny enrollment to applicants who commit misconduct between the time they submit background information to the Academy and the time they in-process as cadets.

7.1. Applicants must update information they provide to USAFA/RR as part of the admission process.

7.2. Applicants who intentionally withhold information may forfeit their appointment to the Academy.

7.2.1. If USAFA discovers misconduct before an appointee takes the oath of allegiance, the Academy must:

7.2.1.1. Inform the individual.

7.2.1.2. Provide the appointee a reasonable opportunity to respond.

7.3. USAFA/RR withdraws the offer of appointment and notifies the nominating authority if, after considering the misconduct and the appointee's response, if any, the USAFA/RR concludes the appointee is no longer qualified for appointment.

7.4. The appointee will not participate in basic cadet training without taking the oath of allegiance. The oath of allegiance will not be administered until the case is resolved.

7.5. A cadet can be disenrolled when pre-appointment misconduct is discovered after the oath of allegiance is administered.

8. Pre-Appointment Drug, Chemical, and Alcohol Testing. As the Secretary of the Air Force directed, in accordance with 10 U.S.C. §978, Drug and Alcohol Abuse and Dependency: Testing

of new entrants, all cadet candidates must undergo testing for illegal drug, illegal chemical, and alcohol use within 72 hours of taking the oath of appointment at USAFA.

8.1. Cadets who, after taking the oath of allegiance, show positive test results for drugs, chemicals, or alcohol may be disenrolled.

8.1.1. The Academy notifies these cadets in writing (See Attachment 2) they are being recommended for disenrollment based on positive drug, chemical, or alcohol test results.

8.1.2. Military counsel will be made available to assist the cadet.

8.1.3. A cadet may request that he/she be allowed to resign instead of going further with the disenrollment procedures in this instruction.

8.1.3.1. The Academy documents this type of resignation as “in lieu of disenrollment for pre-appointment misconduct” for a confirmed positive test for pre-appointment drug, chemical, or alcohol use.

8.2. The Air Force assigns an entry-level characterization to cadets who have their request to resign accepted or are disenrolled in accordance with this paragraph, unless the cadet was prior service and/or attended the United States Air Force Academy Preparatory School. Paragraph 6 does not apply in these cases.

8.3. If USAFA discovers misconduct before an appointee takes the oath of allegiance, the USAFA must follow provisions in paragraph 5.2.1. to 5.2.1.2. above.

9. Pre-Appointment Medical Conditions. The USAFA/RR may deny enrollment to applicants who have medical conditions or medication use which were not previously reported.

9.1. Applicants must update any changes in medical condition as they occur as part of the admission process.

9.2. Applicants who intentionally withhold information may forfeit their appointment to the Academy.

9.2.1. If USAFA discovers misconduct before an appointee takes the oath of allegiance, the USAFA must follow provisions in paragraph 5.2.1. to 5.2.1.2. above.

10. Medical Evaluation Board (MEB) and Physical Evaluation Board (PEB). When a question arises about a cadet’s medical fitness for continued service, USAFA conducts a medical evaluation using the medical standard set forth in Department of Defense Instruction (DoDI) 6130.03, *Medical Standards for Appointment, Enlistment, or Induction in the Military Services* and AFI 48-123, *Medical Examinations and Standards*.

10.1. If the Academy’s medical evaluation finds a cadet does not meet accessions standards outlined in DoDI 6130.03, *Medical Standards for Appointment, Enlistment, or Induction in the Military Services*, a medical review for accessions waiver will be conducted by the Surgeon General of the United States Air Force Academy (USAFA/SG) or delegated authority. If a cadet fails to meet retention standards, a Medical Evaluation Board (MEB) will be convened in accordance with AFI 36-3212, *Physical Evaluation for Retention, Retirement, and Separation* (also see AFI 41-210, *TRICARE Operations and Patient Administration Functions*; and AFI 48-123, *Medical Examinations and Standards*). The Disability Evaluation System (DES) process, under the direction of AFI 36-3212, will

determine whether the cadet is discharged, or reassigned because of prior service, and disenrollment will be a consequence of that decision, unless:

10.1.1. A medically unfit cadet who has requested graduation without a commission, pursuant to DoDD 1322.22, *Service Academies*, paragraph 4.6.4. and who has been determined by the Superintendent to be a first-class cadet and is a cadet in good standing, shall be permitted to graduate from the Academy, without a commission. AFPC/DPPD will revise the separation date of the cadet to reflect the date after the day of graduation; or

10.1.2. If the cadet is also subject to involuntary disenrollment and/or discharge under this instruction, the dual action processing procedures will be followed.

10.2. A cadet who is determined to be medically unfit and has fulfilled their obligations pursuant to their Agreement with the Academy, does not incur an active duty obligation (absent evidence of fraud, concealment, gross negligence, intentional misconduct, or misrepresentation).

10.3. If a cadet is found to be medically fit for duty, but is determined to be unsuited for military service according to DoDI 6130.03, *Medical Standards for Appointment, Enlistment, or Induction in the Military Services*, AFI 48-123, *Medical Examinations and Standards*, and AFI 36-3208, *Administration Separation of Airmen*, paragraph 5.11. (Conditions That Interfere with Military Service), the cadet will be subject to disenrollment and discharge as a deficiency in aptitude.

10.4. Fourth-class Cadets or Basic Cadets who are identified with medical conditions or physical defects not compatible with their USAF Academy agreement or military service identified within 180 days after taking the oath of allegiance may be disenrolled and administratively discharged without referral to the Disability Evaluation System in accordance with DoDI 1332.38, *Physical Disability Evaluation*.

11. Active Duty Service Commitments, Enlisted Grade Determinations, Reimbursement, and Educational Delays. The Superintendent reviews active duty obligations. The AFPC assigns military grades to cadets whom the Academy disenrolls prior to graduation and retains in the Air Force, in accordance with Department of Defense Directive (DoDD) 1332.23.

11.1. Active duty service is the primary means of reimbursement for an Academy education (10 U.S.C. §2005, *Advanced Education Assistance*). However, the Secretary of the Air Force, or a designee, may direct monetary recoupment in lieu of active duty when he or she determines the cadet's record at the Academy renders the cadet unsuited for active duty service, or that active duty service otherwise is not in the best interest of the Air Force. All such cadets who have incurred a military commitment and are disenrolled or resign under circumstances amounting to a breach of the 10 U.S.C. §9348 agreement, will be discharged from the service, and may be subject to monetary recoupment.

11.2. When a cadet who is subject to monetary recoupment fails to complete the period of active or reserve duty specified in the agreement, or does not fulfill any term or condition prescribed pursuant to paragraph (4) of 10 U.S.C. § 2005(a), such person shall be subject to the repayment provisions of 37 U.S.C. § 303a (e) *Special Pay General Provisions*.

11.2.1. A cadet may submit a written request (stating reasons) to waive their ADSC or reimbursement obligation.

11.2.2. The Superintendent will provide a recommendation for disposition to the Secretary of the Air Force for final decision.

11.2.3. The Academy forwards the request, the cadet's submission, if any, and the recommendation of the Superintendent to the Secretary of the Air Force or designee.

11.3. Enlisted grade is based on the cadet's class year at the time the disenrollment conduct occurred or the resignation was submitted and not based on the cadet's class year at the time of the final action. The Air Force normally assigns the following grades to separated cadets whom the Secretary of the Air Force, or designees, has ordered to active duty:

11.3.1. Former second-class cadet -- Airman First Class (E-3). (**EXCEPTION:** The cadet earns a higher grade for earlier enlisted service.)

11.3.2. Former first-class cadet -- Senior Airman (E-4). These individuals must qualify at the five-skill level Air Force Specialty Code (AFSC) to retain the grade of E-4. (**EXCEPTION:** The cadet earns a higher grade for earlier enlisted service.)

11.4. If the Secretary of the Air Force, or designee, does not waive a cadet's ADSC, and if the cadet is not discharged from the service, the Secretary of the Air Force, or a designee, may, pursuant to DoDD 1332.23, grant an "educational delay" in processing the cadet into the enlisted force for the purpose of allowing the cadet the opportunity to pursue an alternative commissioning source. The educational delay will terminate 150 days after the date of the Secretary of the Air Force's, or a designee's, order, but may be extended in 30 day increments, not to exceed a total of one year from the date of the Secretary of the Air Force's, or a designee's, order, upon the request of the cadet. Any such delays are at the discretion of the Secretary of the Air Force, or a designee. The responsibilities related to educational delay as assigned to the Deputy Chief of Staff for Manpower, Personnel and Services (AF/A1) in paragraphs 2.3.1., 2.3.4., 2.3.4.1., and 2.6.2. of AFI 36-3504, will be handled at USAFA by the Staff Judge Advocate, Cadet Disenrollment Section (USAFA/JACD). In the event an alternative commissioning source is not obtained by the cadet within the specified time, and in all other cases, the following actions will be taken:

11.4.1. Directorate of Manpower and Personnel (USAFA/A1) coordinates with Promotions/Special Actions/Testing Office (10 MSS/DPMPE) who administers the Armed Forces Qualification Test (AFQT). 10 FSS/DPMPE will administer the AFQT within 2 duty days of the notification that a cadet is in need of taking the AFQT. 10 FSS/DPMPE will inform USAFA/A1D of any test that is not administered within 2 duty days and provide a justification of why the AFQT could not be scheduled within 2 duty days.

11.4.2. USAFA/A1 coordinates with Skills Management Division, AFPC, (AFPC/DPSOAA) who then coordinates with Reclassification Office (AETC/A3PA) and Airman Assignments Division (AFPC/DPAA) to obtain an appropriate AFSC, required initial skill training and duty assignment for disenrolled cadets.

11.4.3. The Air Force calls the disenrolled cadet to active duty normally not later than 30 days after the Secretary of the Air Force approves the disenrollment contingent upon receipt of the AFSC and duty assignment from AETC/A3PA and AFPC/DPAA.

11.5. When a cadet has been found not qualified for graduation and commissioning by the Superintendent, the Superintendent may place the cadet on involuntary Leave-Without-Pay pending the final processing of the case.

11.6. Disenrolled cadets may submit written requests for release from their active duty service obligation by:

11.6.1. Sending the request to AFPC/DPAA through USAFA/A1 for processing to the Secretary, or a designee, for final decision.

12. Service Characterization. The Secretary of the Air Force, or a designee, may assign four types of discharges.

12.1. Honorable. Assign an honorable discharge when a cadet's record warrants the highest character discharge. It should be awarded when the quality of the cadets' service has met Air Force standards of acceptable conduct or when the cadet's record is otherwise so meritorious that any other characterization would be inappropriate. The former cadet receives:

12.1.1. DD Form 214, *Certificate of Release or Discharge from Active Duty*.

DD Form 256AF, *Discharge Certificate, Honorable*.

12.2. Under Honorable Conditions (General). Assign this discharge characterization when a cadet's service has been honest and faithful, but significant negative aspects of conduct or performance of duty outweigh positive aspects of the cadet's record, and the cadet's service is not sufficiently meritorious to warrant an honorable discharge, but does not deserve an under other than honorable discharge, either. The former cadet receives a DD Form 214.

12.3. Under Other Than Honorable Conditions (UOTHC). Assign this discharge when a cadet's record warrants the least favorable type of administrative discharge and there exists a pattern of behavior or one or more acts or omissions that constitute a significant departure from the conduct expected of officer candidates. The former cadet receives a DD Form 214.

12.4. Entry-Level. Assign an entry-level characterization when a cadet is disenrolled and discharged within 180 days of taking the oath of allegiance, unless the cadet has a prior service commitment that makes the cadet ineligible for the entry-level characterization and provisions in AFI36-3504, paragraph 12.4. The former cadet receives a DD Form 214.

13. Voluntary Resignations.

13.1. Voluntary Tender of Resignation.

13.1.1. All resignations that cadets tender in accordance with paragraph 11.1. are voluntary.

13.1.2. Between the time a cadet tenders a resignation and receives a separation or discharge, the Academy may:

13.1.2.1. Relieve the cadet of cadet wing duties and assign the cadet to other appropriate duties.

13.1.2.2. House the cadet away from his/her squadron.

13.1.2.3. Place the cadet on voluntary excess leave, in accordance with this instruction.

13.1.3. The Secretary of the Air Force, or a designee, decides whether to accept a cadet's resignation according to 10 U.S.C. § 9348.

13.1.4. Resigning cadets may incur active duty obligations.

13.1.5. A cadet may tender a voluntary resignation in writing (see Attachment 3 for a resignation letter template) at any time for one of the following reasons, subject to limitations listed in paragraph 13.1.6.

13.1.5.1. Problems adjusting to the Air Force environment;

13.1.5.2. Change of career goals; or

13.1.5.3. Personal reasons.

13.1.6. A cadet is not eligible to submit a resignation under this paragraph when he or she:

13.1.6.1. Has had charges preferred against him/her under the Uniform Code of Military Justice (UCMJ).

13.1.6.2. Has received notice of an involuntary discharge action based on serious misconduct (see paragraph 24).

13.1.6.3. Has received notice of an involuntary disenrollment recommendation for deficiencies.

13.1.6.4. Has received notice that she or he is subject to the procedures in the *USAFA Cadet Wing Honor Code Reference Handbook* for resolving allegations of honor code violations

13.1.7. If the Secretary of the Air Force, or designee, approves a resignation, the cadet is:

13.1.7.1. Disenrolled;

13.1.7.2. Receives an honorable discharge, unless the cadet is transferred because of a prior service commitment.

13.1.8. Cadets who are ineligible to resign in accordance with this paragraph may request a resignation in accordance with paragraph 13.2., paragraph 13.3., or paragraph 13.4.

13.1.9. An involuntary disenrollment for deficiencies or involuntary discharge action based on misconduct may be initiated if appropriate and is not precluded by a cadet's tender of resignation. In such cases, all discharge characterizations applicable to that process will be available.

13.2. Resigning Instead of Further Disenrollment Action.

13.2.1. A cadet may tender a resignation (see Attachment 3 for a resignation letter template) after receiving written notification of a disenrollment recommendation.

13.2.2. If the Secretary of the Air Force, or a designee, accepts the resignation, the cadet is disenrolled and may receive:

13.2.2.1. An honorable discharge; or

13.2.2.2. A general discharge (under honorable conditions).

13.3. Resigning for the Good of the Service.

13.3.1. A cadet whose misconduct has brought him/her to a possible court-martial or an involuntary discharge action based on serious misconduct may tender a resignation (see Attachment 3 for a resignation letter template) to request a resignation in lieu of that action.

13.3.2. A cadet who requests a resignation in accordance with this paragraph does so with the understanding that if the Secretary of the Air Force, or a designee, accepts the request:

13.3.2.1. The Air Force Academy will discharge the cadet promptly.

13.3.2.2. The discharge will be under other than honorable conditions, unless the Secretary of the Air Force, or a designee, decides that the cadet deserves:

13.3.2.2.1. An honorable discharge; or

13.3.2.2.2. A general discharge (under honorable conditions). AFI 36-3207, *Separating Commissioned Officers*, provides guidelines for handling resignations in accordance with this paragraph.

13.4. Resigning In Lieu of Procedures in the *USAFA Cadet Wing Honor Code Reference Handbook* for Resolving Allegations of Honor Code Violations.

13.4.1. A cadet may tender a resignation (see Attachment 3 for a resignation letter template) after receiving a notification of an allegation that the cadet violated the honor code.

13.4.2. If the Superintendent accepts the resignation, the cadet is disenrolled and may receive:

13.4.2.1. An honorable discharge; or

13.4.2.2. A general discharge under honorable conditions.

14. Withdrawing a Voluntary Tender of Resignation.

14.1. A cadet may submit a request (in writing) to the Superintendent to withdraw a voluntary tender of resignation submitted under paragraph 11.1. for good cause (e.g., discovering evidence favorable to the cadet after submitting the resignation) prior to receiving notice of the Superintendent's action on the tender of resignation.

14.2. If a cadet requests a withdrawal before the Superintendent takes action, the Superintendent may:

14.2.1. Approve the request; or

14.2.2. Disapprove the request; and

14.2.2.1. If additional actions are necessary by the Secretary of the Air Force, or a designee, send the request and disapproval forward with the case file.

14.3. If a cadet requests a withdrawal after the Superintendent accepted the tender of resignation but before notice was given to the cadet, the Superintendent may:

14.3.1. Reconsider the acceptance of the tender of resignation and approve the request to withdraw it; or

14.3.2. Disapprove the request; and

14.3.2.1. If additional actions are necessary by the Secretary of the Air Force, or a designee, send the request and disapproval forward with the case file.

15. Fulfilling Service Commitments if Tender of Resignation is Accepted. Cadets who receive approved resignations must fulfill their:

15.1. Active duty service commitments;

15.2. Obligations to reimburse the Government for education costs: and/or

15.3. Other applicable obligations to the Government not terminated by resignation from USAFA.

16. Suspending Action on a Tender of Voluntary Resignation.

16.1. The Superintendent may suspend further action on a voluntary tender of resignation upon notice of evidence indicating the commission of misconduct for the purpose of providing for further investigation and consideration of alternative dispositions.

16.1.1. The results of the further investigation and the voluntary tender of resignation will be provided to the Commandant for consideration of alternative dispositions and a recommendation to the Superintendent on voluntary tender of resignation.

16.1.2. If the Superintendent had already accepted the voluntary tender of resignation but the resulting discharge or transfer has not been executed, Cadet Personnel (USAFA/A1A):

16.1.3. Notifies Air Force Accessions and Training Division (AF/A1PT), AFPC/DPPA, and USAFA/JA that further actions should be suspended until USAFA completes the investigation and considers alternative dispositions.

17. Disenrolling Cadets for Specific Deficiencies.

17.1. The Superintendent may disenroll:

17.1.1. Cadets who are found deficient in:

17.1.1.1. Conduct (e.g., minor disciplinary infractions);

17.1.1.2. Aptitude (to include USAFA cadet weight, cadet body mass index (BMI), or cadet body fat standards);

17.1.1.3. Training;

17.1.1.4. Academics; or

17.1.1.5. Physical Fitness/Physical Education/Intramurals; or

17.1.2. Cadets who fail in:

17.1.2.1. Academic probation;

17.1.2.2. Conduct and/or aptitude probation;

17.1.2.3. Athletic probation; or

17.1.2.4. Honor probation.

17.1.3. Cadets who fail to meet Air Force commissioning fitness assessment standards.

18. Initiating Disenrollments for Deficiencies.

18.1. The individual, board, or committee first recommending disenrollment presents the case to the appropriate Initiating Authority. Once the Initiating Authority determines it is appropriate to recommend disenrollment, the Initiating Authority's findings and recommendations are routed through the appropriate Group Air Officer Commanding (Group AOC) and the Commandant of Cadets.

18.2. Recommendations for disenrollment must include recommendations regarding active duty service for cadets with active duty service commitments.

18.3. The Superintendent provides justification and supporting documentation to the Secretary of the Air Force if he/she recommends a waiver of an active duty service commitment.

18.4. The Commandant of Cadets, with advice from USAFA/JA, determines whether cases of misconduct should continue to be further processed based on deficiencies in conduct, or should be further investigated and/or initiated under procedures for an involuntary discharge action based on serious misconduct or processed under the UCMJ.

18.4.1. The standard of proof used in all USAFAI 36-3504 disenrollment proceedings is the preponderance of the evidence.

19. Initiating Disenrollment for Deficiencies in Conduct, Minor Misconduct, and/or Failing Conduct Probation. The cadet disciplinary system (supervised by the Commandant) identifies cadets who fail to show the potential to continue as cadets. This includes cadets who become ineligible to remain cadets because of paternity, maternity, or marriage.

19.1. In most cases the Commandant, Group AOC, and the Squadron Air Officer Commanding through the cadet disciplinary system, should have documented attempts to help these cadets change their behavior.

19.2. The Group AOC may, after documenting a case, initiate disenrollment proceedings and recommend disenrollment through the Commandant to the Superintendent.

19.2.1. If cadet disciplinary procedures and a deficiency disenrollment do not adequately address the seriousness of the misconduct, the Group AOC may recommend that the Commandant initiate an involuntary discharge action for misconduct.

20. Initiating Disenrollment for Deficiency in Aptitude and/or Failing Aptitude Probation. A low military performance average (MPA) shows a potential deficiency in aptitude for commissioned service. However, factors used in developing the MPA (military performance evaluation, conduct score, cadet peer evaluations, professional knowledge reviews, and officer

attribute assessments) may also independently support a disenrollment based on a deficiency in aptitude for commissioned service.

20.1. Other indicators of a deficiency in aptitude include:

- 20.1.1. Failure to adapt to the military environment;
- 20.1.2. Failure to make satisfactory progress in required training programs;
- 20.1.3. Reluctance to make the effort necessary to meet Air Force standards of conduct and duty performance;
- 20.1.4. Lack of self-discipline;
- 20.1.5. Failure to meet Air Force commissioning fitness assessment standards;
- 20.1.6. USAFA cadet weight, cadet body mass index (BMI), or cadet body fat standards;

20.2. Evidence that a cadet has a condition that may be unsuited for military service according to DoDI 6130.03, *Medical Standards for Appointment, Enlistment, or Induction in the Military Services*, AFI 48-123, *Medical Examinations and Standards*, and AFI 36-3208, *Administration Separation of Airmen*, paragraph 5.11. (Conditions That Interfere with Military Service), may independently support disenrollment based on a deficiency in aptitude for commissioned service.

20.3. The Group AOCs:

- 20.3.1. Review cases of cadets who exhibit deficiencies in aptitude.
- 20.3.2. May recommend disenrollment.

21. Initiating Disenrollment for Deficiencies in Academic Performance and/or Failing Academic Probation. The Academic Review Committee (ARC):

- 21.1. Reviews cases of cadets who perform poorly in academics.
- 21.2. May recommend disenrollment to the Dean of the Faculty (USAFA/DF). USAFA/DF, as the Initiating Authority, may retain or recommend disenrollment for deficiencies in academics and/or failing academic probation.

22. Initiating Disenrollment for Deficiency in Summer Training. Group AOCs:

- 22.1. Review cases of cadets who perform poorly in a summer training program.
- 22.2. May recommend disenrollment.

23. Initiating Disenrollment for Deficiencies in Physical Fitness, Physical Education, Intramural Training, and/or Failing Athletic Probation. The Physical Education Review Committee (PERC):

- 23.1. Reviews cadets who exhibit deficiencies in:
 - 23.1.1. Physical fitness.
 - 23.1.2. Physical education.
 - 23.1.3. Intramural Training.

23.2. Refers deficient cadets to the Director of Athletics (USAFA/AD) for placement into a mandatory reconditioning program, and places deficient cadets on athletic probation.

23.3. May recommend disenrollment to the Director of Athletics (USAFA/AD). USAFA/AD, as the Initiating Authority, may retain or recommend disenrollment for cadets who are deficient in physical fitness, and/or physical education, and/or intramurals (after the cadet is given an opportunity to meet physical fitness standards and become proficient in physical education and intramural training), and/or fail athletic probation.

24. Procedures for Initiating Disenrollment for Deficiencies.

24.1. In cases involving deficiencies in academics and/or failure in academic probation, the Dean of the Faculty (USAFA/DF) is the initiating authority and will initiate notification paperwork, notifying the cadet, through the Group AOC and the Commandant, that he/she is being recommended for disenrollment; the basis of the recommendation and supporting documentation; the characterization of discharge proposed; and his/her right to respond.

24.2. In cases involving deficiencies in physical fitness, and/or physical education, and/or intramural training, and/or failure in athletic probation, USAFA/AD is the initiating authority and will initiate notification paperwork, notifying the cadet, through the Group AOC and the Commandant, that he/she is being recommended for disenrollment; the basis of the recommendation and supporting documentation; the characterization of discharge proposed; and his/her right to respond.

24.3. In all other cases, the cadets' Group AOCs, the Vice Commandant of Cadets (USAFA/CWV), or the Commandant of Cadets (USAFA/CW), will be the initiating authority and will receive inputs concerning the cadet being considered for disenrollment from any or all of the following sources:

24.3.1. Dean of the Faculty (USAFA/DF);

24.3.2. Director of Athletics (USAFA/AD);

24.3.3. Commandant of Cadets (USAFA/CW); and

24.3.4. The Commander of the Cadet Clinic (10 AMDS/CC).

24.3.4.1. Based upon the inputs received from USAFA/DF, USAFA/AD, USAFA/CW, and/or 10 AMDS/CC, the Group AOC, the Vice Commandant of Cadets, or the Commandant of Cadets initiates notification paperwork, notifying the cadet he/she is being recommended for disenrollment; the basis of the recommendation and supporting documentation; the characterization of discharge proposed; and his/her right to respond. In all cases, the cadet will be provided an opportunity to respond in writing. Notification of disenrollment paperwork may incorporate multiple, separate bases of disenrollment.

24.3.4.2. If the cadet has incurred an ADSC, the Group AOC, the Vice Commandant of Cadets, or the Commandant of Cadets will also provide the cadet notice of the possibility of enlisted service, monetary recoupment for the educational expenses they incurred while at USAFA, an educational delay to seek a commission through AFROTC, or an ADSC waiver.

24.4. After reviewing the matters submitted by the cadet, the initiator of the discharge action will submit his/her recommendation to the disenrollment authority (the Superintendent) through USAFA/JA. If a cadet facing disenrollment for conduct and/or aptitude deficiencies requests a personal appearance with the initiator of the disenrollment and/or the Commandant of Cadets, that personal appearance request must be granted. The assessment of the initiator and/or Commandant of Cadets during those personal appearance(s) must be documented, in writing, and incorporated as part of the recommendation to the disenrollment authority.

24.4.1. USAFA/JA will perform a legal review of the allegations and supporting documentation, along with the matters submitted by the cadet, and will forward the disenrollment recommendation to the Superintendent for final action.

24.5. Under these procedures, the cadet has the following rights:

24.5.1. To receive written notice of the reasons, including the circumstances upon which the action is based, for disenrollment;

24.5.2. To receive written notice of the characterization of discharge that is proposed as a result from the cadet's disenrollment;

24.5.3. To be provided copies of the documents to be forwarded to the disenrollment authority in support of the recommendation;

24.5.4. To either consult counsel or waive their opportunity to do so;

24.5.5. To submit statements in rebuttal, within three duty days of the date of receipt of notification;

24.5.6. To a personal appearance with the initiator of the discharge and/or Commandant of Cadets when the basis for disenrollment is conduct and/or aptitude deficiencies; and

24.5.7. To notification of the possibility for enlisted service, monetary recoupment, educational delay for AFROTC, or waiver for those cadets who have incurred an ADSC.

24.6. Action by the Initiating Authority:

24.6.1. Obtains military legal counsel to assist the cadet. Counsel must be qualified under UCMJ, Article 27(b)(1).

24.6.2. Gives the cadet written notice of the proposed disenrollment action and supporting rationale. Use the format in Attachment 4.

24.6.3. Attaches documents reflecting derogatory information relied upon.

24.6.4. Advises the cadet where a copy of this instruction may be found for use while the case is being processed.

24.6.5. Obtains a receipt for the notification letter. (For a template of the receipt for notification letter, see the format in Attachment 5.)

24.6.6. Obtains the cadet's statement or statements within 3 duty days. For a sample format of the cadet's statement, use the format in Attachment 6. NOTE: If the cadet does not sign this statement, the AOC annotates the letter to show whether the cadet indicated that any of the rights would be exercised.

24.6.7. Prepares a recommendation to the disenrollment authority as shown in Attachment 7.

24.7. Actions by the Cadet:

24.7.1. Acknowledges receipt of the notification letter in a statement made according to Attachment 5. (If the cadet does not respond or responds without signing the statement provided, the Initiating Authority will make an appropriate notation on the statement regarding the cadet's failure to do so.)

24.7.2. Consults the appointed military legal counsel.

24.7.3. Submits statements by the date set in the notification letter (within 3 duty days of the date of notification) or declines the opportunity to do so. (The Initiating Authority may give the cadet more time if there is good reason for the request. Failure by the cadet to respond within 3 duty days, or by the end of an approved extension, constitutes a waiver of the cadet's rights. For a format of the cadet's statement, use the format in Attachment 6. If the cadet does not respond or responds without signing the statement provided, the Initiating Authority will make an appropriate notation on the statement regarding the cadet's failure to do so.)

24.8. Action by the Commandant of Cadets: With the exception of disenrollment actions initiated in accordance with paragraph 21, for deficiencies in academic performance and/or failing academic probation, and paragraph 23, for deficiencies in physical fitness, physical education, intramural training, and/or failing athletic probation, if the Commandant determines disenrollment is not warranted, USAFA/CW may return the cadet to the cadet wing, document, in writing, the reasons and rationale for the decision, and terminate the disenrollment action. If the Commandant determines a basis for disenrollment and discharge does exist and that the disenrollment action will not be terminated; provide a recommendation to the Superintendent/Disenrollment Authority. All ARC disenrollment cases initiated by USAFA/DF and PERC disenrollment cases initiated by USAFA/AD must be forwarded to the Superintendent/Disenrollment Authority for action.

24.9. Action by the Superintendent/Disenrollment Authority: Makes final decision to retain or disenroll, and if the decision is to disenroll, the disenrollment authority will also:

24.9.1. Determine the characterization of discharge for third-class and fourth-class cadets.

24.9.2. Recommend service as an enlisted member or discharge, service characterization, and recoupment of the costs of education incurred for first-class and second-class cadets.

25. Cadet Honor Code Violations. Violations of the Cadet Wing Honor Code will normally be processed according to procedures in the USAFA Cadet Wing Honor Code Reference Handbook, unless the Commandant of Cadets initiates other disposition. Egregious violations of the Cadet Wing Honor Code should be evaluated to determine if a UCMJ action and/or an involuntary discharge action based on serious misconduct should be initiated.

26. Initiating Involuntary Discharge Action based on Serious Misconduct.

26.1. The Commandant of Cadets, with advice from the Staff Judge Advocate (USAFA/JA), determines whether cases involving serious misconduct are initiated under the procedures for an honor board, disenrollment for conduct deficiencies, or an involuntary discharge action.

26.2. If the underlying misconduct is serious enough to potentially warrant an under other than honorable conditions discharge characterization (UOTHC), an involuntary discharge action should be initiated. When an involuntary discharge action recommends the cadet be discharged with a UOTHC characterization, the procedures set forth in AFI 36-3206, *Administrative Discharge Procedures for Commissioned Officers*, AFI 36-3207, *Separating Commissioned Officers*, and AFI 51-602, *Boards of Officers*, will be followed with appropriate modifications necessary for application to a cadet.

26.3. If the Secretary of the Air Force, or a designee, approves a discharge under this paragraph, disenrollment will be a consequence of that approval.

27. Requesting Voluntary Leave-Without-Pay or Administrative Turnback Instead of Disenrollment (See, United States Air Force Academy Instruction (USAFAI) 36-2007, Application for and Administration of Cadet Turnback Program.

27.1. Qualifying for Leave-Without-Pay. A cadet may ask the Superintendent for Leave-Without-Pay for a specified period if:

27.1.1. USAFA/SG or USAFA/SGP determines the cadet has a medical condition that is temporary and not disqualifying or unsuited, but temporarily prevents the cadet from training and/or meeting academic/athletic graduation requirements;

27.1.2. The cadet has a temporary personal or family hardship that, in the judgment of the Superintendent, a leave could improve and the temporary hardship could not be resolved utilizing USAFA facilities and services;

27.1.3. The cadet's disenrollment and/or discharge are pending before the Secretary of the Air Force, and the cadet's presence at the Academy is not required;

27.1.4. The cadet is pending court-martial and the cadet's presence at the Academy is not required;

27.1.5. The cadet has submitted a voluntary resignation, is not subject to an active duty service commitment, and desires to depart USAFA as soon as possible;

27.1.6. The cadet is pregnant and does not choose to resign; or

27.1.7. The cadet has a dependent or dependents and does not choose to resign, but is working towards a relinquishment of parental rights action in the civilian court system.

27.2. USAFA/A1A:

27.2.1. Publishes special orders.

27.2.2. Monitors cadets who depart under Leave-Without-Pay conditions.

28. Implementing Leave-Without-Pay.

28.1. Cadets on Leave-Without-Pay physically leave the Academy.

28.2. All pay and allowances stop for the Leave-Without-Pay period.

28.3. Cadets in Leave-Without-Pay:

28.3.1. Receive an appropriate military identification card.

28.3.2. Are entitled to medical and dental care in a military medical facility, or pre-approved civilian medical facility.

28.3.3. Are entitled to keep Service Member's Group Life Insurance if enrolled prior to departure on Leave-Without-Pay, at member's expense.

28.4. The Government does not reimburse the costs for civilian medical care for cadets on Leave-Without-Pay leave that has not been pre-approved.

28.5. Cadets who want to return to normal cadet status must continue to meet (in accordance with AFI 36-2019, *Appointment to the United States Air Force Academy*) all the basic eligibility requirements of:

28.5.1. Citizenship – IAW DoDD 1322.22.

28.5.2. Marital status – IAW DoDD 1322.22.

28.5.3. Dependency – IAW DoDD 1322.22.

28.5.3.1. A cadet granted Leave-Without-Pay for pregnancy may return when the pregnancy ends and the cadet certifies she complies with DoD Directive 1322.22 and all other pertinent DoD Directives.

28.5.4. Moral character.

28.6. The Superintendent determines the cadet's date of return (if applicable), which is normally at the start of a semester and at the same time of year during which the cadet departed.

28.7. When a cadet returns from Leave-Without-Pay:

28.7.1. Cadet Clinic personnel complete a medical examination (for readmission).

28.7.2. USAFA/SGP determines if the returning cadet is physically qualified in accordance with AFI 48-123 or DoDI, 6103.03, *Medical Standards for Appointment, Enlistment, or Induction in the Military Service*.

28.8. Directorate of Admissions (USAFA/RR):

28.8.1. Sends the form to notify AF/A1DO of a cadet's:

28.8.1.1. Authorized Leave-Without-Pay.

28.8.1.2. Return to the Academy.

28.8.1.3. Changed date of graduation.

29. Conducting and Acting Upon Medical Evaluations. USAFA conducts a medical evaluation in accordance with AFI 36-3212, *Physical Evaluation for Retention, Retirement, and Separation*, and AFI 41-210, *Medical Evaluation Boards (MEB) and Continued Military Service*, using the medical standards listed in AFI 48-123, and DoDI 6130.03, when a question arises about a cadet's medical qualifications for continued service or commissioning.

29.1. Cadets identified with potentially disqualifying medical conditions will be referred to AFPC/DPPD in accordance with AFI 41-210, *TRICARE Operations and Patient Administration Functions*.

29.2. The Commandant, with Superintendent endorsement, as required, will provide the commander's letter to the Air Force Personnel Center, Physical Disability Division (AFPC/DPPD) for processing in accordance with AFI 36-3212 and the Disability Evaluation System (DES) process.

30. Disability Evaluation System Determination. The Secretary of the Air Force, or a designee, is the final discharge approval authority for cadets determined to be medically unfit.

30.1. AFPC/DPPD will notify the USAFA Physical Evaluation Board Liaison Officer (PEBLO) by e-mail of the final determination.

30.2. The PEBLO will immediately forward the notification to USAFA/A1 for further processing.

30.3. In cases involving active duty service obligations due to prior enlisted service, AFPC/DPPD will also make a finding and recommendation to the Secretary of the Air Force, or a designee, for a final decision concerning whether or not a disqualified cadet must fulfill his/her previous enlisted active duty service commitment.

31. Dual Action Processing.

31.1. When Dual Action Processing Is Required. Dual action processing involves referral of a disenrollment action or involuntary discharge action to the Secretary of the Air Force Personnel Council (SAFPC). It is required when a cadet who is recommended for involuntary disenrollment or involuntary discharge action is also eligible for a disability discharge or disability retirement according to AFI 36-3212 and the DES process.

31.1.1. USAFA will notify AFPC/DPPD whenever a cadet who has a potentially medically unfit-for-further service condition, and is also being considered for disenrollment or involuntary discharge action for serious misconduct. Any disenrollment or involuntary discharge action must also include a reference to the potential for medically unfit determination.

32. Reporting Disenrollments.

32.1. Submission of USAFA Cadet Attrition data: The Institutional Research Division (USAFA/A5/8/9) submits required reports IAW AFI 36-3504, paragraph 18.

DAWN M. ZOLDI, Colonel, USAF
Staff Judge Advocate

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

Title 10, U.S.C., 8013, *Secretary of the Air Force*

Title 10, U.S.C., Chapter 49, § 978, *Drug and Alcohol Abuse and Dependency: Testing of new entrants*

Title 10, U.S.C., Chapter 101, § 2005, *Advanced Education Assistance*

Title 10, U.S.C., Chapter 903, § 9348, *Cadets agreement to serve as officers*

Title 11, U.S.C., 523, *Authorized Strengths*

Title 37, U.S.C. § 303a (e) *Special Pay General Provisions*

DoDD 1332.23, *Service Academy Disenrollment*, 19 February 1988

DoDI 1332.38, *Physical Disability Evaluation*, 4 November 1996

DoDD 1322.22, *Service Academies*, 24 August 1994

DoDI 6130.03, *Medical Standards for Appointment, Enlistment, or Induction in the Military Services*, 28 April 2010, Incorporating Change 1, 13 September 2011

AFPD 36-20, *Accession of Air Force Military Personnel*, 5 November 2014

AFMAN 33-363, *Management of Records*, 1 March 2008

AFI 33-360, *Publications and Forms Management*, 25 September 2013

AFI 36-2019, *Appointment to the United States Air Force Academy*, 16 May 1994

AFI 36-3206, *Administrative Discharge Procedures for Commissioned Officers*, 9 June 2004

AFI 36-3207, *Separating Commissioned Officers*, 9 July 2004

AFI 36-3208, *Administrative Separation of Airmen*, 9 July 2004

AFI 36-3212, *Physical Evaluation for Retention, Retirement, & Separation*, 2 February 2006

AFI 41-210, *TRICARE Operations and Patient Administration Functions*, 6 June 2012

AFI 48-123, *Medical Examinations and Standards*, 5 November 2013

AFI 51-602, *Boards of Officers*, 2 March 1994

AFI 36-3504, *Disenrollment of United States Air Force Academy Cadets*, 9 Jul 2013

USAFAI 36-2007, *Application For and Administration of Cadet Turnback Program*, 18 April 2007

USAFAI 36-3523, *Review and Disposition of Deficient Cadets*, 22 February 2012

Adopted Forms

AF Form 847, *Recommendation for Change of Publication*

DD Form 214, *Certificate of Release or Discharge from Active Duty*

DD Form 256AF, *Discharge Certificate, Honorable*

Abbreviations and Acronyms

ADSC—Active Duty Service Commitment
AETC—Air Education and Training Command
AFCW—Air Force Cadet Wing
AFPC—Air Force Personnel Council
AFQT—Armed Forces Qualification Test
AFSC—Air Force Specialty Code
AOC—Air Officer Commanding
ARC—Academic Review Committee
BCT—Basic Cadet Training
DBMS—Director of Base Medical Services
EPTS—Existed Prior to Service
IAW—In Accordance With
MEB—Medical Evaluation Board
MPA—Military Performance Average
PEB—Physical Evaluation Board
PERC—Physical Education Review Committee
SECAF—Secretary of the Air Force
STRC—Summer Training Review Committee
UCMJ—Uniform Code of Military Justice
UOTHC—Under Other than Honorable Conditions

Terms

Academic Year—The academic year at USAFA runs from call to quarters the night before the start of academic courses for the fall semester and runs until midnight of graduation day in the spring.

Academic Probation—The status of a cadet who fails to achieve a satisfactory academic standing, as determined by the Academic Review Committee. Failure to satisfy the terms of the probation while in this status puts the cadet at risk for disenrollment.

Accession Standard—USAFA cadet weight, cadet body mass index (BMI), or cadet body fat standards and USAF commissioning fitness assessment standards must be met. Failure to meet these standards puts the cadet at risk to graduate and/or become a commissioned officer.

Aptitude for Commissioned Service—The personality, capacity, and inclination to adapt to the relationships, customs, and responsibilities of military service and the strength of character and

willingness to accept the limits on freedom of individual action that the structure and legal status of military service impose upon its members.

Aptitude Probation—The status of a cadet whose military performance raises doubt concerning his or her aptitude for commissioned service, as determined by the Commandant of Cadets or his/her designee. Failure to satisfy the terms of the probation while in this status puts the cadet at risk for disenrollment.

Athletic Probation—The status of a cadet who fails to meet established cadet athletic performance standards, raising doubt concerning his or her aptitude for commissioned service, as determined by the Athletic Director, his or her designee, or the Physical Education Review Committee. Failure to satisfy the terms of the probation while in this status puts the cadet at risk for disenrollment.

Cadet Record—The documentation pertaining to all aspects of a cadet's performance while enrolled at USAFA.

Collateral Consequences—Incidents flowing from disenrollment, resignation, and/or discharge. Includes reimbursement of educational expenses financially or through transfer to enlisted service, and educational delay.

Conduct—A cadet's adherence to or departure from civilian laws, the Uniform Code of Military Justice, and or Air Force and USAFA directives and standards relating to behavior.

Conduct Probation—The status of a cadet whose conduct has raised doubt concerning qualification to remain a cadet, as determined by the Commandant of Cadets or his/her designee. Failure to satisfy the terms of the probation while in this status puts the cadet at risk for disenrollment.

Dependent—Spouse, birth child, adoptive child, or stepchild regardless of whether or not the cadet provides financial support.

Discharge—A complete severance from military status, active or otherwise.

Disenrollment—Termination of cadet status. Disenrollment is a consequence of the decision authority's determination that a cadet is not qualified for commissioning or graduation. A cadet is disenrolled when the decision authority decides the cadet is unfit or unsuited for graduation and/or commissioning, or otherwise fails to meet graduation and/or commissioning standards, approves the cadet's resignation from the USAFA or the cadet is dismissed pursuant to sentence of a general court-martial. Removal from the cadet wing pending disenrollment normally entails loss of entitlement to participate in academic, athletic, morale, and military programs, but does not in itself end cadet status or other military obligations, and some or all of its normal effects, as described above, may be suspended by the Superintendent. Disenrollment, alone, does not constitute discharge or transfer, but may result in either.

Graduate—One who satisfactorily completes academic, aptitude, conduct, athletic, and military training requirements and receives a degree.

Military Performance Average (MPA)—The numeric average achieved by a cadet as a result of evaluation each semester of military performance and aptitude for commissioned service.

Misconduct—A cadet's act(s) or omission(s) not in accordance with civilian laws, the Uniform Code of Military Justice, or directives or standards of USAFA or Air Force relating to behavior.

Resignation—A request by a cadet for disenrollment from the USAFA.

Separation—A general term that includes discharge, release from active duty, release from custody and control of Armed Forces, transfer to the Individual Ready Reserve, and similar changes in Active or Reserve status.

Suspended Disenrollment—When the Superintendent of USAFA, as the disenrollment authority, chooses to grant a specified probationary period for a cadet whose case is before the Superintendent for disenrollment. Failure to meet the terms of the Superintendent's probation will result in the cadet's disenrollment.

Attachment 2**SAMPLE LETTER OF NOTIFICATION—POSITIVE DRUG, CHEMICAL,
ALCOHOL TEST WITHIN 72 HOURS OF RECEPTION AT USAFA**

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY
USAFA COLORADO

MEMORANDUM FOR CADET

FROM: HQ USAFA/CW
2354 Fairchild Drive, Suite 5A10
USAFA CO 80840-6260

SUBJECT: Letter of Notification - ACTION MEMORANDUM

1. In accordance with USAFAI 36-3504, I am beginning action to disenroll you from the United States Air Force Academy and to discharge you from the Air Force.
2. The reasons for my proposed action are: positive test results for drug, chemical, or alcohol use.
3. (The charges warranting disenrollment and discharge must be as specific as possible as to the date, place, victim, and act or omission so that the cadet can prepare a rebuttal.)
4. The documents attached to this letter support these allegations.
5. The Secretary of the Air Force, or a designee, will make the final decision in your case and, if appropriate, provide the characterization of discharge. I am recommending that you receive an entry-level characterization.
6. Military counsel, (name, rank, duty address, and duty telephone number), will advise you. In addition to military counsel, you may use civilian counsel at your own expense. However, your civilian counsel must be readily available (normally within 7 calendar days) to advise you. If you do not desire counsel, provide a statement saying so.
7. Reply, in writing, no later than _____, 20____, setting forth the rights you choose (the cadet replies within 5 calendar days). You may submit written statements that I will send with your file for the discharge authority to review. (See Attachment 6.)
8. You may receive a complete medical examination. Notify your Air Officer Commanding to schedule it.
9. I have made available a copy of AFI 36-3504 for your information.

Group AOC

Attachment 3**SAMPLE TENDER OF RESIGNATION**

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY
USAFA COLORADO

Date:

MEMORANDUM FOR HQ USAFA/CC

FROM: Name, SSN, Class Year, and Squadron

SUBJECT: Submittal of Resignation

1. In accordance with USAFAI 36-3504, paragraph 13, I voluntarily request to resign as a cadet appointed to the United States Air Force Academy.
2. I am requesting to resign for the following reason:

(Personal Reasons/Change in Career Goals/Environmental/Religious Mission)
3. I know I have the right to talk to a lawyer about this action, and to learn of my rights and privileges, the terms of my resignation, and the various forms of separation or disenrollment. Nobody threatened me, coerced me, or made promises to induce me to sign.
4. I understand that if the disenrollment authority accepts this resignation, I may still have to:
 - a. Fulfill an active duty service commitment, or,
 - b. Reimburse the Government for the cost of my education, and,
 - c. Fulfill other legal obligations to the United States.
5. If the disenrollment authority accepts my resignation, I understand that I may request leave without pay and allowances while the disenrollment authority decides about my resignation. The Commandant of Cadets decides whether to accept my request for leave without pay and allowance. I understand that if I choose to stay at the Academy while the disenrollment authority decides about my resignation, I may perform duties for Transition Flight as directed by the Transition Flight Officer-in-Charge.
6. I understand that reapplication to the Academy is considered on a case-by-case basis and that by voluntarily resigning during my _____-class year; I would not normally be approved for readmission.

7. I fully understand that if I have an Active Duty Service Commitment, either involuntary discharge (based upon misconduct), or voluntary separation may subject me to a reimbursement requirement under the provisions of 10 U.S.C. § 2005. Specifically, if I am disenrolled (for misconduct), or resign, the government has the option of requiring me to serve on active duty for a specified period of time or electing to have me repay the Government the monetary cost of the advanced education provided to me. If the government elects reimbursement of advanced education costs and I wish to dispute the validity of the monetary debt, an official will be appointed to investigate the facts and consider any evidence I wish to present regarding this issue.

Signature

SSN

Attachment 4**SAMPLE NOTIFICATION****MEMORANDUM SAMPLE****DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY
USAF COLORADO**

MEMORANDUM FOR (Cadet Grade, Name, SSN, Cadet Squadron)

FROM: Group AOC, Vice Commandant of Cadets, or Commandant of Cadets (date)

SUBJECT: Notification Memorandum

1. In accordance with AFI 36-3504, USAFAI 36-3504, and USAFAI 36-3523, I am initiating a review into your misconduct and/or deficiencies that may result in your disenrollment from the United States Air Force Academy and discharge from the United States Air Force for (quote the title of the applicable paragraph or paragraphs). The authority for this action is AFI 36-3504 and USAFAI 36-3523, paragraph(s) X.XXX. If my recommendation is approved, your service may be characterized as (honorable) (under honorable conditions, general). I am recommending that your service be characterized as (See note 1).
2. My reasons for this action are: (Tell how the criteria of the cited paragraph or paragraphs are met. Give specifics of the act or acts or condition or conditions on which the recommendation is based.) Copies of the documents to be forwarded to the disenrollment authority in support of this recommendation are attached.
3. The Commandant of Cadets, Superintendent, or higher authority, will decide whether you will be disenrolled or retained as a cadet at the United States Air Force Academy. If you are disenrolled, you might also be discharged from the Air Force and be ineligible for future officer training in the Air Force.
4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult (grade, name) at (place) on (date) at (time). You may consult civilian counsel at your own expense.
5. You have the right to submit statements in your own behalf. Any statements you want the Superintendent to consider must reach me by 1630 on INSERT DATE (allow 3 workdays, excluding the day of service) unless you request and receive an extension for good cause shown. I will send them to the Superintendent.
6. 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.

7. You have been scheduled for a medical examination. You must report to (medical facility) at (time) on (date) for the examination.

8. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. Copies of AFI 36-3504 and USAFAI 36-3523 are available for your use (state where).

Name, Grade, USAF
Title of Initiating Authority

Attachment: (See note 2)

Supporting documents--for the reason for disenrollment document or documents containing derogatory information--which are not listed in the notification memorandum. Airman's receipt of notification memorandum.

NOTES:

- 1. Omit this sentence if the reason requires the issuance of an honorable discharge.*
- 2. List each document individually as an attachment.*

Attachment 5**SAMPLE RECEIPT OF NOTIFICATION MEMORANDUM
DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY
USAFA COLORADO**

MEMORANDUM FOR THE COMMANDANT OF CADETS

FROM:

SUBJECT: Receipt of Notification Memorandum (date)

1. I received the notification memorandum (date), at (hours) on (date), informing me that I have been recommended for disenrollment in accordance with the provisions of AFI 36-3504, USAFAI 36-3504, and USAFAI 36-3523.
2. I understand that I have the right to:
 - a. Consult counsel.
 - b. Submit statements in my own behalf.
 - c. Waive either of the above rights.
3. I acknowledge that:
 - a. I have received copies of the documents to be forwarded to the disenrollment authority in support of the recommendation for my discharge.
 - b. I have been given an appointment to consult military legal counsel.
4. I understand that:
 - a. This action may result in my disenrollment from the Air Force Academy and discharge from the Air Force with (enter the least favorable characterization of discharge).
 - b. My failure to consult counsel or to submit statements will constitute a waiver of my right to do so.
 - c. If I am facing disenrollment for summer training deficiencies, conduct and/or aptitude deficiencies, misconduct, and/or conduct/aptitude probation failure that I have the right to request a personal appearance before the Group AOC/Vice Commandant of Cadets initiating this action and with the Commandant of Cadets before they forward their recommendation to the disenrollment authority.

Name, Cadet Grade, SSN, USAF

Attachment 6

SAMPLE MEMORANDUM CADET'S STATEMENT

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY
USAF COLORADO

MEMORANDUM FOR SUPERINTENDENT

FROM:

SUBJECT: Disenrollment and Discharge IAW AFI 36-3504 (date)

1. I have been notified that I have been recommended for disenrollment and discharge for (reason) (reasons) cited in the notification memorandum according to AFI 36-3504, USAFAI 36-3504, and USAFAI 36-3523, (paragraph) (paragraphs) X.XX and of the specific basis of the proposed disenrollment and discharge.
2. Military legal counsel was made available to me. I (have consulted) (hereby waive my option to consult) counsel.
3. I (am submitting the attached statements for your consideration) (hereby waive my right to submit statements.)
4. I (am requesting a personal appearance with the Group AOC/Vice Commandant of Cadets who initiated this action) (hereby waive my right to have a personal appearance with the Group AOC/Vice Commandant of Cadets who initiated this action).
5. I (am requesting a personal appearance with the Commandant of Cadets) (hereby waive my right to have a personal appearance with the Commandant of Cadets).

Name, Cadet Grade, SSN, USAF

Attachment:
Statement (if any)

NOTE: Delete inapplicable words or statements.

Attachment 7**SAMPLE MEMORANDUM RECOMMENDATION FOR DISENROLLMENT AND DISCHARGE**

DEPARTMENT OF THE AIR FORCE
 HEADQUARTERS UNITED STATES AIR FORCE ACADEMY
 USAFA COLORADO

MEMORANDUM FOR COMMANDANT OF CADETS

FROM: Initiating Authority (Group AOC/Vice Commandant of Cadets)

SUBJECT: Recommendation for Disenrollment and Discharge (name, grade, SSN)

1. I have met with Enter Cadets Name Here on Enter Date Here. I recommend that (grade, name, SSN) be disenrolled from the United States Air Force Academy and discharged from the United States Air Force for (quote the applicable section title). The authority for my recommendation is AFI 36-3504, USAFAI 36-3504 paragraph XXX, and USAFAI 36-3523, paragraph XX. I recommend (characterization of discharge). The specific (reason) (reasons) for the proposed disenrollment and discharge and (act) (acts) or (condition) (conditions) on which the recommendation is based are contained in Attachment 1, and the notification letter dated (give date of letter).

2. Information from the military record follows (*See* notes 1 and 2).

a. Date of entry to Academy, pay-date, TAFMSD, and dates of prior service (if applicable, including Prep School).

b. Date of birth.

c. Test Scores.

d. Date assigned unit.

e. Current cadet grade.

f. Record of disciplinary actions. Include action under Article 15, UCMJ, and conviction by court-martial. Specify offenses, findings, sentence.

g. Favorable communications, citations, or awards.

h. Derogatory data, other than action by court-martial or under Article 15, UCMJ.

i. Medical or other data meriting consideration.

Group AOC/USAFA/CWV Name, Grade, USAF

NOTES:

1. HQ AFPC/DPMDOA provides copies of documents from, or information about prior service on request.
2. Documents containing derogatory information will be attached to the notification memorandum. If a document is attached to the notification memorandum, do not repeat the information in this figure, paragraph 2. Indicate its attachment number to the notification memorandum.

Attachment 8**SAMPLE MEMORANDUM RECOMMENDATION FOR RETENTION**

DEPARTMENT OF THE AIR FORCE HEADQUARTERS
UNITED STATES AIR FORCE ACADEMY
USAFA COLORADO

MEMORANDUM FOR COMMANDANT OF CADETS

FROM: Initiating Authority (Group AOC/Vice Commandant of Cadets)

SUBJECT: Recommendation for Retention (name, grade, SSN)

1. I have met with Enter Cadets Name Here on Enter Date Here. I recommend that (grade, name, SSN) be retained as a cadet at the United States Air Force Academy. I am recommending retention for the following reasons:

2. Information from the military record follows (*See* notes 1 and 2).

a. Date of entry to Academy, pay-date, TAFMSD, and dates of prior service (if applicable, including Prep School).

b. Date of birth.

c. Test Scores.

d. Date assigned unit.

e. Current cadet grade.

f. Record of disciplinary actions. Include action under Article 15, UCMJ, and conviction by court-martial. Specify offenses, findings, sentence.

g. Favorable communications, citations, or awards.

h. Derogatory data, other than action by court-martial or under Article 15, UCMJ.

i. Medical or other data meriting consideration.

Group AOC/USAFA/CWV Name, Grade, USAF

NOTES:

1. HQ AFPC/DPMDOA provides copies of documents from, or information about prior service on request.
2. Documents containing derogatory information will be attached to the notification memorandum. If a document is attached to the notification memorandum, do not repeat the information in this figure, paragraph 2. Indicate its attachment number to the notification memorandum.

Attachment 9**SAMPLE MEMORANDUM RECOMMENDATION FOR DISENROLLMENT AND DISCHARGE**

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY
USAFA COLORADO

MEMORANDUM FOR THE SUPERINTENDENT

FROM: THE COMMANDANT OF CADETS

SUBJECT: Recommendation for Disenrollment and Discharge (name, grade, SSN)

I have met with cadet name here on date, and I concur with the recommendation of the Group AOC/Vice Commandant of Cadets that (grade, name, SSN) be disenrolled from the United States Air Force Academy and discharged from the United States Air Force for (quote the applicable section title). The authority for my recommendation is AFI 36-3504, USAFAI 36-3504 paragraph XXX, and USAFAI 36-3523, paragraph XX. I recommend (characterization of discharge). The specific (reason) (reasons) for the proposed disenrollment and discharge and (act) (acts) or (condition) (conditions) on which the recommendation is based are contained in Attachment 1, and the notification letter dated (give date of letter).

Commandant of Cadets

NOTE: Delete inapplicable words or statements.

Attachment 10

**SAMPLE MEMORANDUM FOR NOTICE OF POSSIBLE REIMBURSEMENT
REQUIREMENT FOR CADETS WHO HAVE INCURRED AN ACTIVE DUTY
SERVICE COMMITMENT**

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY
USAFA COLORADO

MEMORANDUM FOR (Cadet Grade, Name, SSN, Cadet Squadron)

FROM: Group AOC/Vice Commandant of Cadets/Commandant of Cadets

SUBJECT: Notification of Possible Reimbursement Requirement for Committed Cadets

1. You are hereby notified that either voluntary separation or involuntary separation may subject you to a reimbursement requirement under the provisions of 10 USC 2005. Specifically, if you resign or are disenrolled, the Government has the option of requiring you to serve on active duty for the period specified in your agreement or electing to have you repay the Government the total monetary cost of the advanced education provided to you.
2. I understand that if I am disenrolled I will have 14 days from the date I am notified of the disenrollment decision to submit any additional matters to HQ USAFA/JA that I want considered by the Superintendent and SECAF with regard to my preference in whether I fulfill my Active Duty Service Commitment (ADSC) via enlisted service, monetary recoupment, educational delay to pursue an AFROTC commission, or an ADSC waiver.
3. Acknowledge receipt and understanding of this notice by signing below.

Printed Name Date

Signature