

Department of the Army  
Headquarters, USFCEFS  
455 McNair Avenue, Suite 100  
Fort Sill, Oklahoma 73503  
12 August 2010

\*USAFCE Regulation 15-1

Administration  
Boards, Commissions, and Committees

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**Summary.** This regulation is a revision of the U.S. Army Field Artillery School, Fort Sill Regulation 15-1, pertaining to Boards, commissions, and Committees. It updates and supersedes USAFASFS Regulation 15-1 dated 6 May 2006.

**Applicability.** This regulation is the one source of information regarding faculty boards policy.

**Supplementation.** Supplementation of this regulation is prohibited without prior approval of the Commanding General, USAFCEFS, ATTN: DOTD Fort Sill, OK 73503.

**Suggested Improvements.** The proponent for this regulation is the Director of Operations and Training. Send comments and suggested improvements on a DA Form 2028 through channels to the Commanding General, USAFCEFS, ATTN: DOTD Fort Sill, OK 73503.

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OFFICER FACULTY BOARDS –BASIC OFFICER LEADERSHIP COURSE- BRANCH (BOLC-B), WARRANT OFFICER BASIC COURSE (WOBC), WARRANT OFFICER ADVANCE COURSE (WOAC), AND CAPTAINS CAREER COURSE (CCC).

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**Chapter 1  
Introduction**

**1-1. Purpose**

To establish policies, responsibilities, and procedures for the administration and conduct of Faculty Boards for Army officers/warrant officers failing to meet the academic, leadership standards and/or other course graduation standards for the Basic Officer Leadership Course-Branch (BOLC-B), Warrant Officer Basic Course (WOBC), Warrant Officer Advance Course (WOAC) and Captains Career Course (CCC), conducted at Fort Sill. These faculty board procedures will be used when the students’ commander intends to initiate administrative academic action against a student officer who fails to achieve graduation and/or leadership standards. attending action

- a. This regulation implements the provisions of Army Regulation (AR) 350-1, and TRADOC Regulations 350-10, 350-18 and 350-70. Except as specifically provided herein, a

failure to adhere to the provisions of this regulation will not confer any benefit, right, entitlement, or privilege on any individual.

**1-2. Scope.**

a. The provisions of this regulation apply to all US Army commissioned and warrant officers and international officer students attending resident Basic and Career courses at the United States Army Fires Center of Excellence. For guidance on separating students subsequent to a Faculty Board, please contact the USAFCOEFS Trial Counsel at 442-5058/3900.

b. The student's chain of command will manage cases of student misconduct, academic or leadership deficiencies. For questions on taking administrative or UCMJ action on student misconduct, please consult the USAFCOEFS Trial Counsel.

c. The student's respective Service chain of command will manage cases of misconduct and/or violations of the Uniform Code of Military Justice, involving an Air Force, Marine, Navy, or International student.

**1-3. References.**

- a. AR 15-6, Procedure for Investigating Officers and Boards of Officers.
- b. AR 350-1, Army Training and Leading Development.
- c. AR 623-3, Evaluation Reporting System.
- d. TRADOC Reg 350-10, Institutional Leader Training and Education.
- e. TRADOC Reg 350-18, C1, The Army School System
- f. TRADOC Reg 350-70, Systems Approach to Training

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**1-4. Administrative Note.** The words "he, his, or him" as used in this publication are intended to include both the masculine and feminine genders.

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**1-5. Authority.**

a. The Commanding General has delegated to the School Commandants (ADA and FA) the authority to convene Faculty Boards, and appoint its members (*CW2 - CW5 and CPT - COLs*) from within their organizations. Authority to appoint members to serve on a Faculty Board, may be further delegated to the Assistant Commandant or the Brigade commander. Commandants unable to seat the required board members may request the Commanding General detail members from across the FCOE to serve as board members.

b. In cases of academic failure, the Brigade Commander may authorize retraining/retesting without a recommendation from a Faculty Board. Commandants may authorize a one-time recycle without a recommendation from a Faculty Board. **Coordination for recycling ARNGUS students will be through the ARNGUS liaison office.** Only one recycle may be granted. Additional recycles are not authorized except in cases specifically approved by TRADOC.

c. A student denied a recycle, due to academic failure, may appeal the initial no recycle decision of the Commandant to the CG, USAFCOEFS for additional consideration. (See Appendix M example format)

d. In all cases where a recycled student fails to maintain academic standards on a subsequent course, the student will not be entitled to the opportunity for a second Faculty Board but will be allowed to submit documents in the administrative action packet going to the Commandant or CG for disposition.

e. When action is required beyond that which the School Commandant may approve, an administrative action packet will be processed from the appropriate brigade commander (428<sup>th</sup> FAB or 6<sup>th</sup> AD BDE), respective Commandant, thru the Chief of Staff, USAFCOEFS, to the CG, USAFCOEFS.

#### **1-6. Faculty Boards.**

a. A faculty board is convened at the direction of the School Commandant (or delegated representative) to investigate circumstances of officers who demonstrate the following: academic deficiency, leadership deficiency, disciplinary problems, acts of misconduct, honor violations, lack of motivation, lack of adaptability or otherwise failing to satisfy standards for graduation as specified in the respective course syllabus. The Board will determine all circumstances contributing to the student's failure, rehabilitation actions taken by the chain of command, and ascertain the student's leadership potential for continued service as an officer. Faculty boards will not be established to make recommendations on the punishment of officers involved in misconduct, ethics violations, or other items addressed in the Uniform Code of Military Justice.

b. The officer's chain of command will process officer misconduct cases in accordance with USAFCOEFS Supplement 1 to AR 27-10. Academic failure cases, as a result of misconduct, will be addressed by a faculty board. The board will only document its academic failure findings and make recommendations regarding the appropriate courses of action for the School Commandant's consideration and disposition. The faculty board will not make recommendations that are more properly the province of the chain of command. For example, a Faculty Board may be convened to make a recommendation to dismiss a student from training who was drunk and disorderly; however, the decision to impose a reprimand would be made through command channels and is not properly the responsibility of the Faculty Board.

c. The faculty board's recommendations may include, but are not limited to, graduation, reinstatement, relief, or recycling of the student. (Appendix A outlines some

recommendations/courses of action available to the faculty board). In all cases, the Commandant is not bound by the recommendation of the faculty board and may take such action as deemed appropriate.

d. **Mandatory Faculty Boards.** CCC, BOLC-B, WOAC and WOBC, students must be referred to a faculty board prior to the Commandant dismissing the students for reasons of academic or leadership deficiencies, disciplinary problems, acts of misconduct, honor violations, lack of motivation, lack of adaptability or otherwise failing to satisfy standards for graduation. However, faculty boards are not required in cases where formal court-martial charges are preferred against a student from one of the above specified classes.

e. **Discretionary Faculty Boards.** For students in all other USAFCOEFS courses, Proponent Commandants may, but are not required to, appoint faculty boards prior to dismissing the students for reasons of academic or leadership deficiencies, disciplinary problems, acts of misconduct, honor violations, lack of motivation, lack of adaptability or otherwise failing to satisfy standards for graduation. (See Appendix B, for non-faculty board relief procedures)

f. **International Military Students (IMS).** Faculty board referral is only required for IMS officers pending relief from BOLC-B or CCC. For all other USAFCOEFS courses, faculty board referral for an IMS is at the discretion of the Proponent Commandant but may be used as a basis for recommending action to TRADOC/SATFA (the approval authority for relief of an IMS). If referred to a faculty board, an IMS will be authorized an interpreter to present his case to the board. (See Appendix N, for detailed guidance on IMS relief procedures.)

g. **Student Waivers.** Students referred to faculty board may waive their right to a faculty board using the sample memorandum shown at Appendix C-4. The matter may then be determined by the Commandant without faculty board findings and recommendations.

h. **Extension of Reserve Component Officers for Faculty Boards.** Reserve component officers cannot be involuntarily extended on active duty training (ADT) for purposes of completing a faculty board. However, the officer may voluntarily extend an ADT to participate in the board, contingent upon approval by their Army Reserve Personnel Center or State Adjutant General. The officer will indicate his intent to voluntarily extend on ADT using the sample memorandum shown at Appendix C-7. If the request to voluntarily extend on ADT is disapproved, the officer may attend the faculty board at his own expense or have lay counsel appointed to represent the officer in his absence. If the officer chooses not to attend the board at his own expense, the lay counsel may appear before the board and present the case on the officer's behalf.

i. **Appointment of Faculty Board Personnel.**

(1) When notified by a Brigade Commander that a faculty board is required, the Commandant's office will task the appropriate officers to sit on the board. Commandants may maintain a cyclical standing list of potential faculty board members in order to rapidly convene the board (See Appendix G). Alternate Board members will be appointed as a source of replacement to meet requirements for minority, female, RC, or warrant officer representation, or

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to assist the Board to achieve a quorum. All board members must be senior to the respondent by date of rank.

(2) To streamline procedures for a majority vote, an odd number of voting members will be appointed (not less than three). Board members will not be persons from the student's chain of command. Students have the right to request a board in all cases. However, if a student initially waives a board, is recycled, and is again in a failing status, the student is not entitled to a second opportunity for a board hearing.

(3) A major or lieutenant colonel will serve as the president. The convening authority will also detail a Court Recorder and a Lay Counsel. The Court Recorder will assist the board president with the preparation and conduct of the board. The Lay Counsel will act as a disinterested third party and will assist the respondent before and during the proceedings.

(a) Special Board Requirements for Reserve or Guard Respondents. Faculty boards will consist of at least one reserve component member (senior to the respondent) if the respondent is in either the Army National Guard (ARNGUS) or the U.S. Army Reserve (USAR).

(b) Special Board Requirements for Female or Minority Respondent. If requested by the respondent at least 2 duty days prior to the convening of the board, faculty boards will consist of at least one female or one minority member where the respondent is, respectively, either a female or a minority student. If the respondent is a female minority student, this requirement is satisfied if one board member is both a female and a minority.

(c) An exception to the above Board composition requirements will be allowed only in those circumstances when there is inadequate representation available within the USAFCOEFS to provide an individual of the required race, sex, service component, and/or grade on the alternate Board list.

(4) Only the Board President, a School Commandant, or the CG, may excuse members for good cause (e.g., leave, temporary duty (TDY), etc). The member must submit a written request for excusal to the Board President **NLT 2 full duty days** before the Board is scheduled to convene.

(5) The President will identify an officer from the alternate list to serve as a replacement member if the Board is unable to attain a quorum or to meet the requirement for minority/female/Reserve Component representation.

(6) A recommended faculty board process/ is outlined in Appendix G.

## **1-7. Responsibilities.**

### **a. Commanding General USAFCOEFS**

(1) Is the General Courts-Martial Convening Authority (GCMCA) at the USAFCOEFS.

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(2) Has retained jurisdiction over all officers for incidents involving misconduct. The CG may delegate this authority when deemed appropriate on a case by case basis.

(3) Is the approval authority for all student actions, including discharge, and termination of commission in cases authorized by AR 600-8-24 (RC students). The CG makes recommendations and forwards them to HRC in cases pertaining to the discharge of RA-commissioned students.

(4) Is not bound by the recommendations of a Faculty Board or the chain of command; the CG may take any action authorized by TRADOC and the Department of the Army regardless of the Faculty Board's or the chain of command recommendations.

**b. Commandants, (USAFAS and USAADASCH)**

(1) Has been delegated the authority to convene Faculty Boards and appoint its members. The Commandant reviews all Faculty Board findings and recommendations. Ensures the Faculty Board recommendation is included in all discharge or additional recycle packets being forwarded to the CG for disposition.

(2) Has been delegated the authority to provide counseling as required by AR 350-1, para 3-14.

(3) Has been delegated the authority by the CG to deny one academic recycle. Additional recycles for academic failure require TRADOC approval.

(4) Appoint faculty board members as able when notice is received that an officer's failures or misconducts warrants a board. Requests additional faculty board member support from the CG, as needed.

**c. Brigade Commanders, (428<sup>th</sup> FAB and 6<sup>th</sup> ADA BDE)**

(1) Must consider the student under the "whole person" concept and take into account all relevant facts as well as the long-term impact to the student. Flow charts of all actions can be found at Appendix B.

(2) Has been delegated the authority to provide counseling as required by AR 350-1, para 3-14.

(2) Ensures State Adjutant General coordination is completed prior to recycling any ARNGUS student whose course funding/availability is controlled by a State.

(3) In all cases of recommendations for transfer to a different Branch, ensures that approval from gaining Branch is possible prior to forwarding packet to CG for disposition.

(4) Upon final decision by the Commandant (or CG) implements such directed actions as are within his jurisdiction.

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(5) Ensures the academic and leadership requirements of all officer courses are incorporated into the course syllabus/standard operating procedures (SOP) and each student is made aware of the requirements.

(6) Through a senior officer mentorship program, establishes aggressive student counseling/evaluation/training programs to provide assistance to academically high-risk students. Mentors should be assigned at the beginning of each class. The program will specifically identify the problems that are affecting a student's performance so that corrective measures can be taken early on.

(7) If adverse action is taken by the Commandant (or CG) after review of the Board's findings and recommendations, ensures the student is notified in writing of the decision and the action is processed to completion.

(8) Maintains a standing list of potential board members (both voting and non-voting) to be appointed by the School Commandant, or the CG USAFCEFS if requirements cannot be achieved with in the Brigade command.

**d. Battalion Commanders**

(1) Ensure allegations of officer misconduct are reported to the Brigade Commander and Commandant, in accordance with USAFCEFS Supplement 1 to AR 27-10.

(2) Forward recommendations to convene a faculty board for officers failing to meet academic and/or leadership requirements to the appropriate convening authority.

(3) Monitor all officer students to determine those students who have a high risk of failing their respective course(s).

(4) Ensure students are retained in class until the CG/Commandant takes final action, except as follows:

(a) Exceptions which warrant possible withdrawal of students from training, pending Board action, are for revocation of their security clearance, for being disruptive to training, having discipline problems, or having profiles that prevent them from performing critical job tasks.

(b) Recommendations for withdrawal from training, pending Board action, will be processed in memorandum format, with all supporting evidence attached, from the unit commander through the battalion commander, through the BDE Commander, to the appropriate School Commandant. The decision of the CG is final and the student cannot appeal the decision.

(c) Withdrawal of the student from training, pending action by the Commandant, is not an adverse or punitive action, and it is not equivalent to dismissal from the course.

(5) Informs the students of the course standards and completion requirements prior to the start of the training and education. Academic, testing, and counseling requirements will be specified in the course syllabus, as they pertain to the initiation of Board action.

(6) Provide all documentation pertinent to the Respondents case being considered to the Faculty Board Recorder.

**e. Faculty Board President**

(1) Ensures Faculty Boards are conducted no earlier than the 7th duty day following the student's selection for a Board. Board proceedings can be scheduled after duty hours or on weekends, if necessary, to ensure timely processing. The Board President may grant one extension of not more than 10 calendar days.

(2) Sets the time, date and uniform for the Faculty Board. Conducts the Board proceedings in a fair and impartial manner in order to assist the Board members in arriving at fair and logical findings and recommendations.

(3) If requested by either the Recorder or the Respondent, determine whether a witness is available and/or necessary for the proceedings. The Board President's decision is binding and cannot be appealed.

(4) Ensures the Respondent receives a fair opportunity to present to the Board any facts or extenuating circumstances that may have affected his performance as a student. The Board President determines relevancy of all evidence and may limit the presentation of evidence by either the Recorder or Respondent based on relevancy.

(5) Ensures the members discuss and vote without the Recorder and Respondent being present.

(6) Ensures that all Board members sign the completed Findings and Recommendations Worksheet immediately upon the close of their deliberations and before the hearing is reconvened to announce the Findings and Recommendations. The Respondent will be informed of the Faculty Board's recommendation but will be advised that such recommendation is not binding on the Commandant and/or CG.

**f. Board Member (Including Board President) Responsibilities.** Each board member:

(1) Notifies the recorder if the member is not senior to the respondent by date of rank.

(2) Is present at all sessions of the faculty board. Attendance at board proceedings becomes the member's primary duty and takes precedence over all other duties, leave, passes, and TDY. Requests for excused absences must be submitted in writing to the CCA, who is authorized to excuse members under extraordinary circumstances.

(3) Ignores any information pertaining to the case prior to the convening of the board.

(4) Carefully and impartially evaluates all evidence presented at the faculty board. Prior to making recommendations, considers the student under the whole person concept, to include the student's conduct, performance, leadership ability, attitude, motivation, discipline, and any other matters affecting the student's potential for service.

(5) In closed deliberations, votes on findings of fact and, after findings are made, votes on recommendations for Commandant's disposition.

**g. Respondent (Student)**

(1) Will elect or waive Faculty Board within 2 days of notification of pending administrative action. If Respondent is a female or minority, request that a member of the Board be a female or minority if so desired. See paragraph 6(h)(3)(b) above.

(2) May seek (and should be encouraged to) assistance of the Trial Defense Service or Legal Assistance or a civilian attorney at no expense to the government to discuss the case. Make every effort to seek assistance and prepare for the board proceedings within the time line established by the Board President.

(3) If electing to personally appear before the Board, the Respondent will be given a fair opportunity to present to the Board any facts or extenuating circumstances that may have affected his performance as a student.

(a) The Respondent is responsible for all arguments and questioning for his case at the hearing. The Respondent will prepare his case and will keep the Recorder informed of military witnesses and/or documentation necessary for the hearing. At least 2 duty days prior to the Faculty Board, the Respondent will inform the Recorder of the names, duty locations, and duty telephone numbers of all military and civilian employees of the USAFCOEFS that he feels are necessary to a fair hearing. The Recorder will make necessary arrangements for the appearance of these witnesses, unless the Board President determines that the witnesses are not necessary to the proceedings or are otherwise unavailable.

(b) Respondents are not entitled to representation by military counsel at the hearing. If the Respondent retains civilian counsel, such counsel may not personally participate in the Board proceedings (i.e., may not argue, or question witnesses) but may advise the Respondent on how to present his case.

**h. Board Recorder**

(a) Presents evidence in all cases on behalf of the government in which the student has requested a Faculty Board.

(b) Reviews and understands the requirements of this regulation and AR 15-6.

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(c) Coordinates with the Board President to establish location, date, and uniform of Faculty Board.

(d) Personally serves the Notice and a complete copy of the Board packet to the Respondent.

(e) Develops a list of witnesses, and ensures the appearance at the hearing of all witnesses who are military and civilian employees of USAFCOEFS, to include those witnesses identified by the Respondent. Only the Board President has the authority to deny the appearance of a witness identified and requested by the Respondent.

(f) Will make necessary arrangements for the appearance of requested witnesses, unless the Board President declares the witness either not necessary to the proceedings or otherwise unavailable. Will make available those documents and records requested by the Respondent and which are in the possession, custody, and/or control of the U.S. Army, unless the Board President declares a requested document or record to be unnecessary to the proceedings or unavailable (e.g., classified documents).

(g) Thoroughly prepares for the presentation of the evidence, to include interviewing potential witnesses.

(h) Personally notifies members and any alternate members of the date, time, place, and uniform for the Board. Ensures the presence of a Board Reporter who will provide a summarized statement of the board procedures for inclusion in the decision packet prepared for the CG. Use of electronic means to develop the summarized statement is approved.

(i) Ensures the hearing room is neat and orderly, and that all evidence is present and available to the Board members once they enter the hearing room.

(j) Assists the Board President with the legal and administrative functions associated with the Board hearing.

(k) At the start of the hearing, will deliver to each Board member a complete copy of the Board packet. No Board member will receive a copy of the Board packet in advance of the hearing, except for the Board President, who will be provided a preliminary packet for information. The Board President may call a recess to permit the members sufficient time to familiarize themselves with the Board packet. The Recorder insures that no evidence is provided to the members prior to the student reporting to the Board.

(l) Presents thorough documentary evidence and witness testimony and all relevant evidence necessary for the Board to reach complete and informed findings and recommendations. The Recorder does not participate in, nor is he or she present during the vote of the Board members.

(m) Ensures all evidence is properly marked as exhibits, and that all original exhibits are retained for inclusion with the packet.

(n) Ensures that the Board members sign a completed Findings and Recommendations Worksheet (see figure 6) at the conclusion of the hearing and before they depart the hearing room.

(o) Reviews the copy of the proceedings summarized by the Board Reporter and makes necessary corrections. The summarized transcript will be in sufficient detail to note all documents and evidence considered by the Board, and will include all objections by the Recorder and/or Respondent that were not granted by the Board President. The summarized transcript will also include all issues presented by the Respondent and sufficiently describe the testimony of the Respondent. Any voting member who disagrees with the findings and/or recommendations of the Board may provide a statement to that effect.

(p) Obtains the Board President's and members' signatures on the Report, and the Board President's signature on the summarized transcript.

(q) Provides completed packet to the BDE Commander **not later than 3 duty days** after the Board adjourns.

i. **Lay Counsel.** The lay counsel:

(1) Serves as a disinterested party outside the respondent's immediate chain of command.

(2) Assists the respondent in preparing his case.

(3) Obtains assistance with case preparation and presentation technique from the Fort Sill Office of the U.S. Army Trial Defense Service.

j. **Administrative and Civil Law Division, OSJA (Admin Law)--**

(1) Provides legal guidance to the Board concerning the legal aspects and requirements of the members' duties.

(2) Ensures an Admin Law representative is available (land line or wireless telephone) during the Board proceedings, in case a legal question arises.

(3) Reviews all Board recommendations prior to presentation (if case is appealed) to the CG.

(4) In cases where student waives Faculty Board, reviews all adverse recommendations prior to presentation to the CG (if case is appealed).

(5) Is not required to conduct legal review in cases where the student waived a Faculty Board and the School Commandant is recycling the student into a follow-on course.

## **Chapter 2**

### **Faculty Boards.**

## 2-1. Procedures.

a. **General.** The appendices to this Regulation provide additional guidance including instructions for faculty board members (Appendix F) and suggested procedures for the conduct of faculty boards (Appendix G). For any procedural or administrative issues not specifically addressed by this regulation, faculty boards will refer to AR 15-6 for guidance.

b. Based upon the recommendation of the Student's chain of command, the BDE commander (or designated representative) determines whether a faculty board is required or if a recycle would benefit the student. If required, coordinates with the Commandants office to appoint board members (from a standing member list) and schedules the faculty Board normally within seven days. (See Flow Chart, Appendix B)

c. Rules of evidence for faculty board proceedings are set forth in paragraph 3-6, AR 15-6.

d. The board will evaluate all evidence presented to it and will make appropriate findings pursuant to paragraph 3-9b, AR 15-6. Appropriate findings will depend upon the purpose of the faculty board proceedings; for example, substantiation of academic, training, or leadership deficiencies, commission of an act of misconduct; or an honor code violation. Each finding must be supported by a greater weight of evidence than supports a contrary conclusion; that is, evidence which, after considering all evidence presented, points to a particular conclusion as being more credible and probable than any other conclusion. The board will review and comply with paragraph 3-9b, AR 15-6 in arriving at the findings.

e. The faculty board proceedings will be treated confidentially until duly published by the Commandant's office or designated representative. The respondent will not be informed of the board's recommendation(s) prior to review and decision by the Commandant. The Commandant will review the faculty board report, along with the board's findings and recommendation, and then render a decision. After the decision by the Commandant, the respondent will be notified in writing of that decision and informed of his appellate rights if adverse action is taken by the Commandant. (See Appendix L)

f. Faculty Board Reports. The board recorder is responsible for accurately summarizing the proceedings and preparing a report (Appendix H) and summation of testimony (Appendix J) to be submitted to the commandant within five working days following adjournment of the board. A separate report will be prepared for each respondent, unless the reason for referral involves more than one respondent (for example, honor violations). Upon completion of the final action by the commandant or appellate authority, a copy of the results will be forwarded to the Academics Record Branch for filing in accordance with AR 25-400-2, The Army Records Information Management System (ARIMS).

g. Faculty Board Voting Procedures.

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(1) Neither the board recorder nor the student will be present during deliberations or voting. If the board must consult with the board recorder, it should do so in the presence of the student or his designated representative.

(2) After thoroughly considering and discussing all of the evidence, the board will propose and vote on findings of fact. After findings are made, the board will next propose and vote on recommendations.

(3) Each member of the board, including the president, will vote. (Note: The recorder and lay counsel are not members of the board.) Voting will be by a show of hands.

(4) Findings of fact must be supported by a majority vote from all voting members. Likewise, board recommendations must be supported by a majority vote from all voting members.

q. Board Recommendations.

(1) After findings are made, the faculty board must forward recommendations to the Commandant as to what, if any, courses of action should be taken concerning the respondent. The faculty board may recommend that the student be:

- (a) Graduated from the class.
- (b) Reinstated in the class and given the opportunity to graduate.
- (c) Recycled to a subsequent class.
- (d) Dismissed from the course and declared a non-graduate.

(2) A recommendation for relief must be based upon one of the following justifications:

- (a) Academic deficiency.
- (b) Leadership deficiency.
- (c) Lack of motivation.
- (d) Lack of adaptability.
- (e) Honor code violation.
- (f) Misconduct or other disciplinary grounds.
- (g) Security infractions.
- (h) Other justifications as outlined at Appendix A.

(3) In compelling cases, a student may be recommended for recycle to a subsequent class. Explanatory remarks as to justification for recycle and target class for recycle must be included in the faculty board report. Students in BOLC-B and CCC normally should be recommended for recycle only because of circumstances beyond their control but not for purely academic reasons. In the event a reserve component or ARNG student is recommended for recycle, coordination with the DAC-ARNG will determine if HQ USARC or the appropriate state will support and fund the proposed recycle action.

r. Appellate Procedures. In cases where the commandant decides to relieve or recycle a student, the student will be formally notified by the commandant (or his designated representative) using one of the formats at Appendix C. The student may appeal the Commandant's decision to the CG, USAFCOEFS. To do so, the student must acknowledge receipt of the Commandant's notification memorandum and indicate his intent to appeal. The student must submit any evidence to substantiate the appeal to the CG, USAFCOEFS, through the Commandant.

(1) Deadline for Appeals. Generally, students will be given three duty days from the day they receive formal notice of the Commandant's action to submit matters for appeal. During this three day period, students should be given every reasonable opportunity to prepare or collect evidence they intend to use of their behalf. The Commandant's or CG, USAFCOEFS may, under unusual circumstances, extend the deadline for a student's response or appeal to afford the student an adequate amount of time to prepare the appeal.

(2) Commandant's Review. Students will submit their appeals to the Commandant's. The Commandant must review the appeal and may respond to any issues raised by the student. If the Commandant's chooses to respond, he/she will do so in writing. The appeal, and any response the Commandant chooses to give, will then be forwarded to the CG, USAFCOEFS for final action.

(3) SJA Review for Faculty Board Proceedings. The appeal, and any response the Commandant chooses to give, will then be forwarded thru the Administrative and Civil Law Division, OSJA, for legal review, then to the CG, USAFCOEFS for final action.

### **Chapter 3. Dismissal.**

#### **3-1. Student Dismissal.**

a. Under certain conditions, students may be dismissed from courses before course completion. Students will be informed of the course and training completion requirements prior to the start of training.

b. Students may be considered for dismissal from courses for the following reasons:

\*USAFCOEFS Regulation 15-1, 12 August 2010

(1) Personal conduct is such that continuance in the course is not appropriate (for example, if a student violates regulations, policies, or established discipline standards). No formal adjudication of guilt by a military or civilian court or by a commander under Article 15 of the Uniform Code of Military Justice (UCMJ) is necessary to support dismissal.

(2) Negative attitude or lack of motivation is prejudicial to the interests of other students in the class.

(3) Academic deficiency demonstrated by failure to meet course standards or lack of academic progress that makes it unlikely that the student can successfully meet the standards established for graduation.

(4) Failure to pass the APFT or maintain body composition fat standards IAW AR 600-9.

(5) Illness or injury (as determined by a physician), or added physical profile limitation.

(6) Compassionate reasons.

c. Students being considered for dismissal must be counseled by the chain of command (usually the assigned trainer or small group leader, the unit commander, and the school commandant (or a designated representative) prior to dismissal. Counseling sessions will be formally documented and signed by all counselors and acknowledged by the student. All counseling forms will be maintained with the student's records.

d. The following procedures apply in cases where dismissal is considered for motivational, disciplinary, or academic reasons:

(1) The training supervisor (unit commander) will notify the student in writing of the proposed action, the basis for the action, the consequences of disenrollment, the possibility of termination of commission, and the right to request a Faculty Board. The supervisor will advise the student that he or she is entitled to request a Faculty Board and will be given at least 7 duty days to prepare.

(2) The student will acknowledge by endorsement within 2 duty days receipt of the written notification of dismissal action. The endorsement must indicate whether or not the student intends to request a Faculty Board. In cases where the student waives the right to a Faculty Board, the student will undergo additional counseling with the Brigade Commander and the School Commandant, and he/she may include documents in the decision packet forwarded to the CG.

(3) All actions being forwarded to the CG, USAFCOEFS for disposition will be forwarded to the Administrative Law Division to determine legal sufficiency of the action/Faculty Board proceedings prior to action by the CG.

\*USAFCOEFS Regulation 15-1, 12 August 2010

(4) Students will remain actively enrolled in the course pending School Commandant (or CG) decision (except as described in paragraph 7.d(4)). Students who have been dismissed from the course will be assigned to other duties.

(5) Dismissals for misconduct, lack of motivation, academic deficiency, or failure to maintain physical fitness or height and weight standards will be recorded on the individual's AER, if applicable, in accordance with AR 623-3.

(6) In accordance with AR 600-8-2, officers and warrant officers pending disenrollment for disciplinary reasons may be flagged.

(7) Disenrollment for illness, injury, compassionate branch transfer, or other reasons beyond the control of the individual will be made without prejudice. In appropriate cases, the student will be eligible to re-enroll as soon as conditions that led to disenrollment no longer exist.

\*USAFCOEFS Regulation 15-1, 12 August 2010

**Suggested improvements.** The proponent of this regulation is G 3/5/7, Training Management. Users are invited to send comment and suggested improvements on Department of the Army (DA) Form 2028 (Recommended Changes to Publications and Blank Forms) to G 3/5/7, Training Management USAFCOEFS, Fort Sill, Oklahoma 73503.

**LIST OF APPENDIXES**

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APPENDIX G.	Standing Procedures for Faculty Boards
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**APPENDIX A**

**DECISION SUPPORT TABLE**

COURSES OF ACTION

REASONS	ADVERSE DISMISSAL	ADMIN DISMISSAL	RECYCLE	SUSPENSION	CASUAL STATUS	EARLY RELEASE
ACADEMIC DEFICIENCY	X		X			
LEADERSHIP DEFICIENCY	X		X			
LACK OF MOTIVATION	X					
LACK OF ADAPTABILITY	X					
HONOR CODE VIOLATION	X		X	X		
MISCONDUCT/ DISCIPLINARY	X			X		
FRAUDULENT APPLICATION	X			X		
SECURITY	X			X		
MEDICAL		X	X		X	X
COMPASSIONATE/ HARDSHIP		X	X		X	X
OTHER ADMINISTRATIVE		X	X		X	X
APFT FAILURE**	X		X			
HEIGHT/WEIGHT STANDARDS	X					

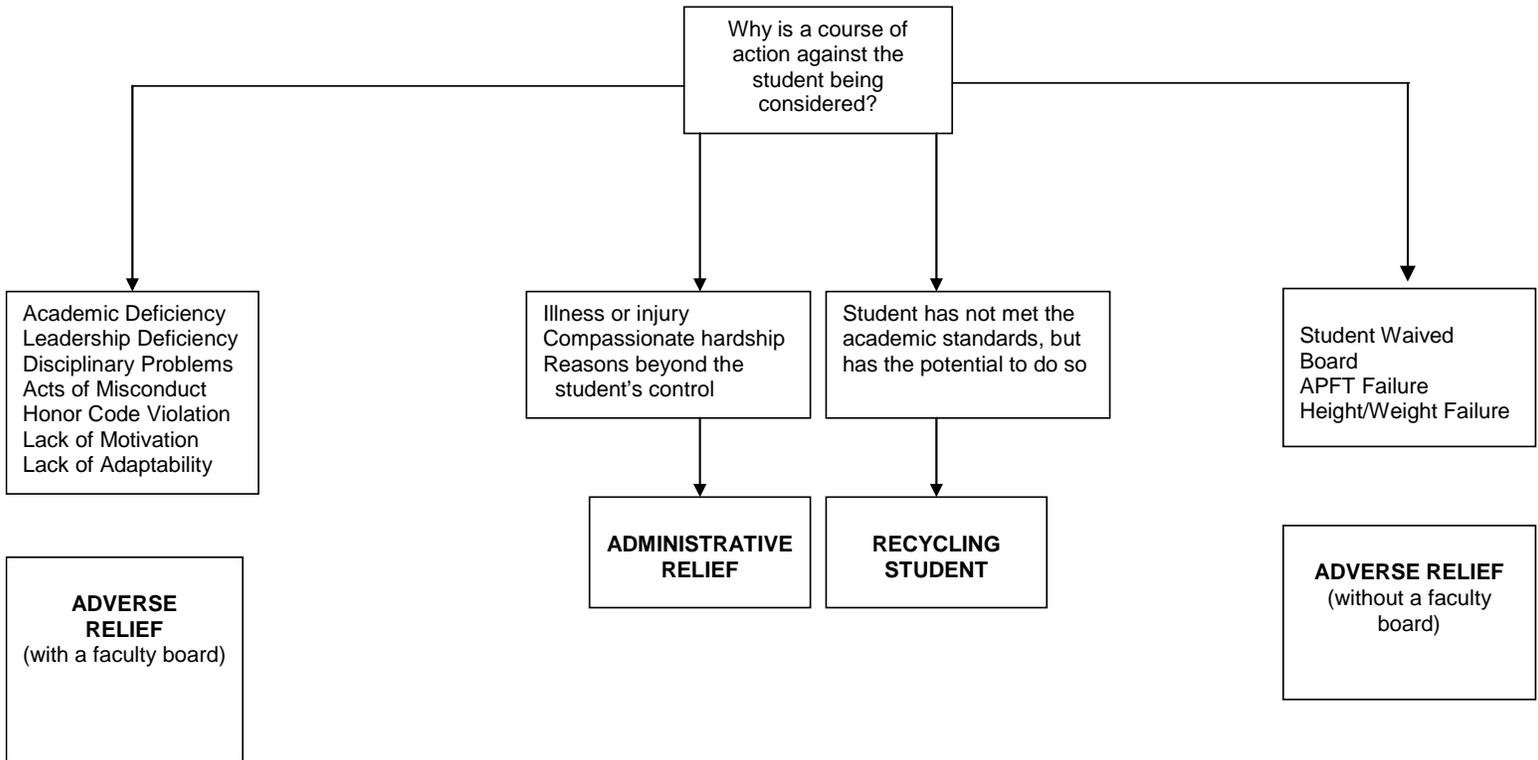
\*Also referred to as relief without prejudice.

\*\*Non-enrollment (in courses that require students meet AR 600-9 standards prior to enrollment).

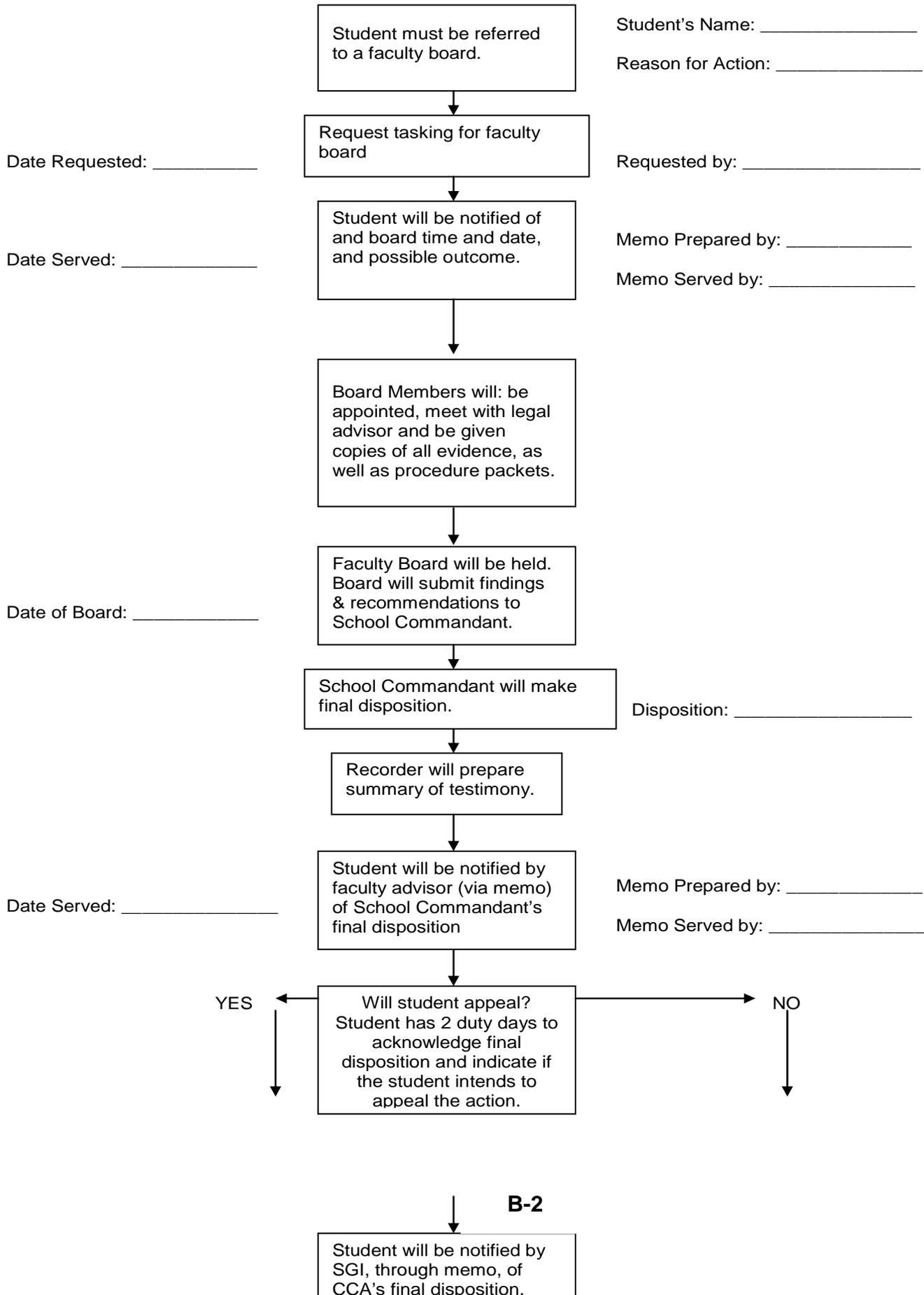
The above decision table shows courses of action (indicated by an "X") available to Commandants based on reasons shown at the left. This table is designed as a guide for commanders and faculty boards; it does not address all possible circumstances.

# APPENDIX B

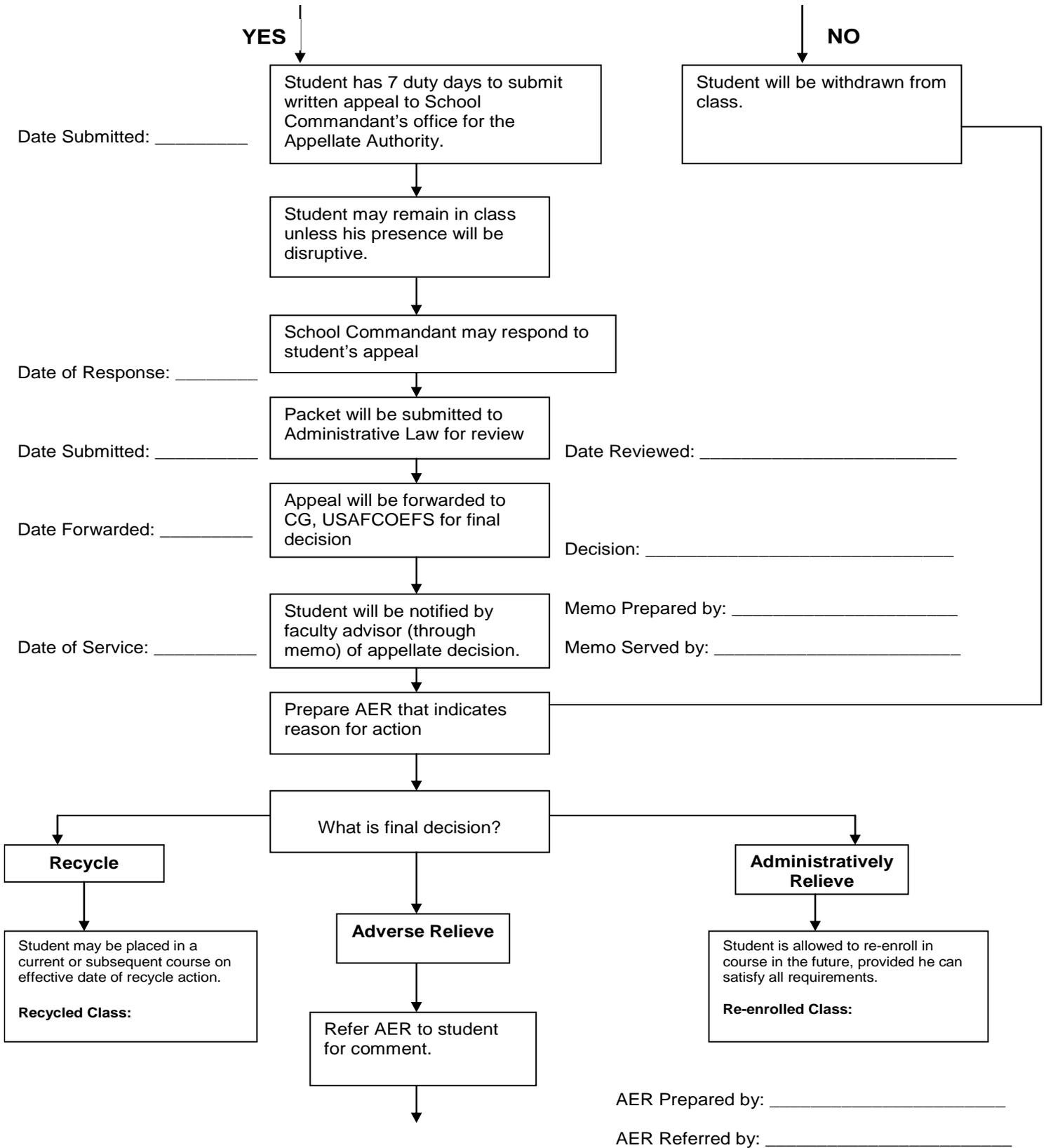
## USAFCOEFS 15-1 Processes



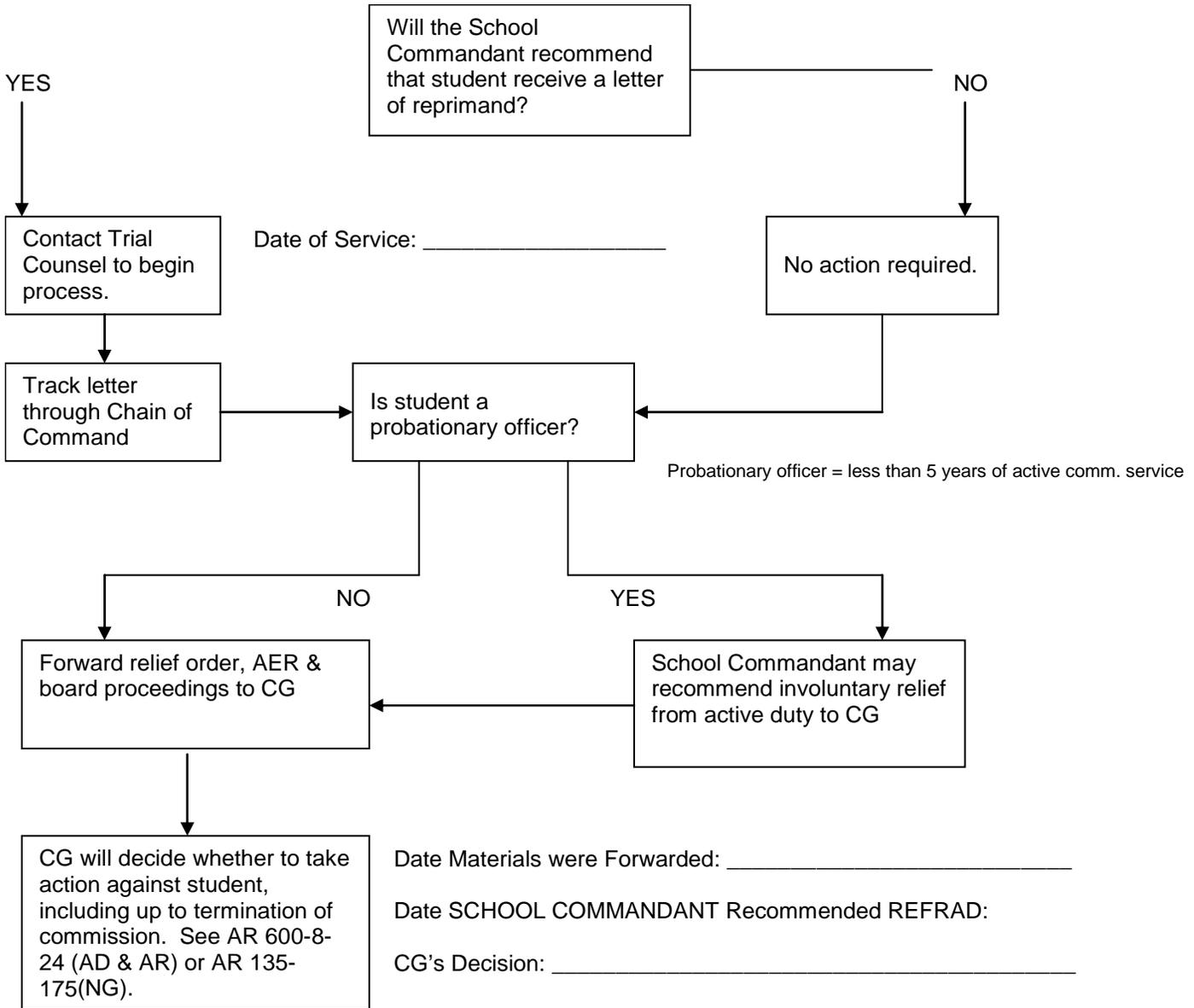
## Adverse Relief (With Faculty Board)



\*USAFCOEFS Regulation 15-1, 12 August 2010



\*USAFCOEFS Regulation 15-1, 12 August 2010



## Adverse Relief (Without Faculty Board)

Date of Notification: \_\_\_\_\_

Student will be notified by faculty advisor (through memo) that student may be relieved, and the reasons for this action.

Student's Name: \_\_\_\_\_

Reason for Action: \_\_\_\_\_

Notified by: \_\_\_\_\_

Date of Return: \_\_\_\_\_

Student will return acknowledgement of receipt and intent to reply memoranda within 2 duty days. If student is waiving faculty board, student will also submit waiver at this time.

Date Submitted: \_\_\_\_\_

Student has 2 duty days to submit Statement for Consideration to School Commandant.

Faculty Advisor: \_\_\_\_\_

Faculty advisor will submit recommendation to senior faculty advisor.

Senior faculty advisor will ensure all recommendations, student's acknowledgement of receipt, student's response, and all evidence are forwarded to School Commandant.

Sr. Faculty Advisor: \_\_\_\_\_

School Commandant makes final disposition.

Disposition: \_\_\_\_\_

Date of Service: \_\_\_\_\_

Student will be notified by faculty advisor (through memo) of School Commandant's final disposition.  
  
Will student appeal decision?

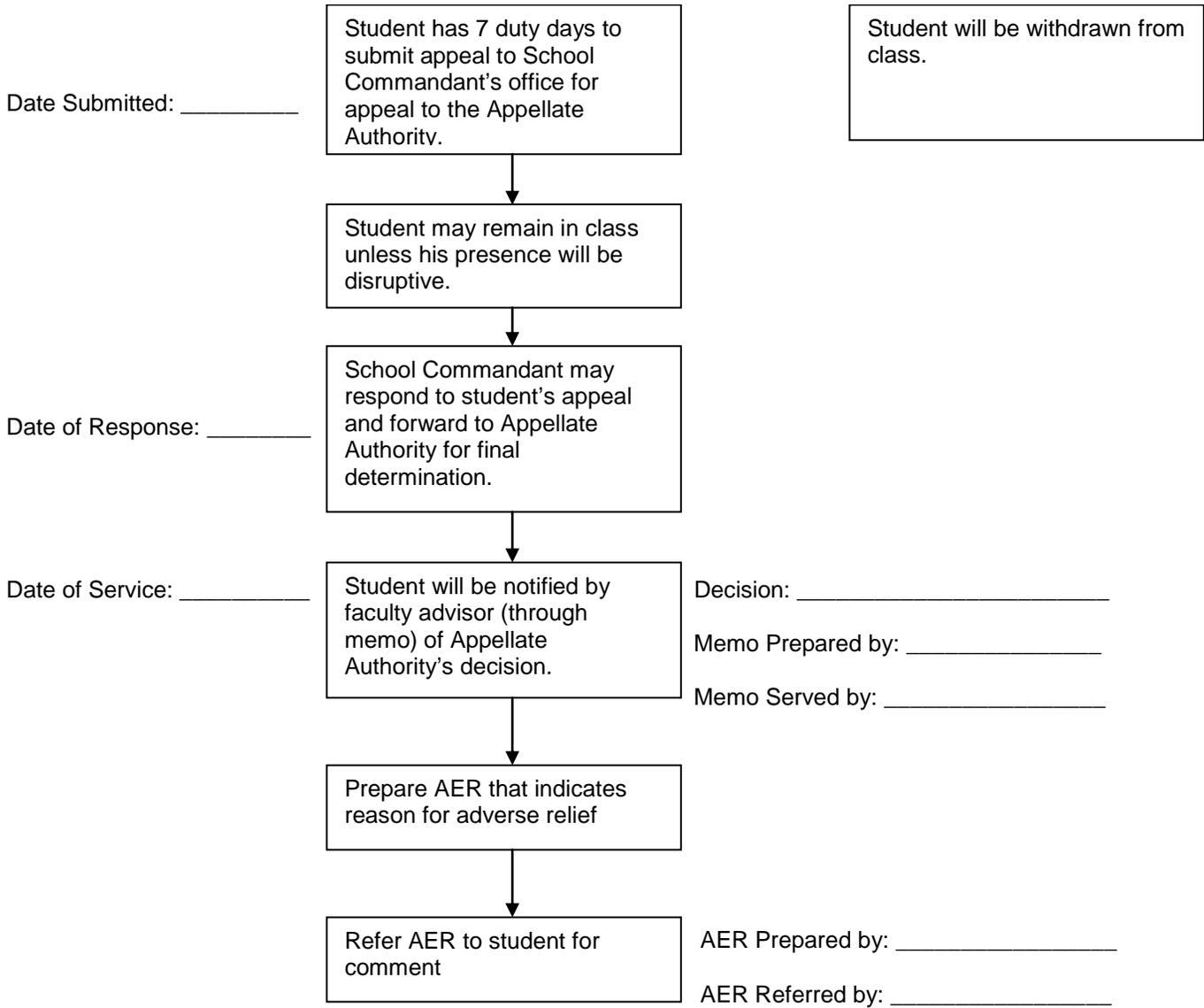
Memo Prepared by: \_\_\_\_\_

Memo Served by: \_\_\_\_\_

YES

NO

\*USAFCOEFS Regulation 15-1, 12 August 2010



## Administrative Relief or Recycle

Date of Notification: \_\_\_\_\_

Student will be notified by faculty advisor (through memo) that he may be relieved or recycled, and reasons for the action.

Student's Name: \_\_\_\_\_

Reason for Action: \_\_\_\_\_

Notified by: \_\_\_\_\_

Date of Return: \_\_\_\_\_

Student will return acknowledgement of receipt and intent to reply memoranda ASAP.

Date Submitted: \_\_\_\_\_

Student has 2 duty days to submit Statement for Consideration to School Commandant.

Faculty Advisor: \_\_\_\_\_

Faculty advisor will submit recommendation to senior faculty advisor.

Senior faculty advisor will ensure all recommendations; student's acknowledgement of receipt, student's response, and all evidence are forwarded to School Commandant.

Sr. Faculty Advisor: \_\_\_\_\_

School Commandant will make final disposition.

Disposition: \_\_\_\_\_

Date of Service: \_\_\_\_\_

Student will be notified by faculty advisor (through memo) of School Commandant's final disposition.  
Will student appeal decision?

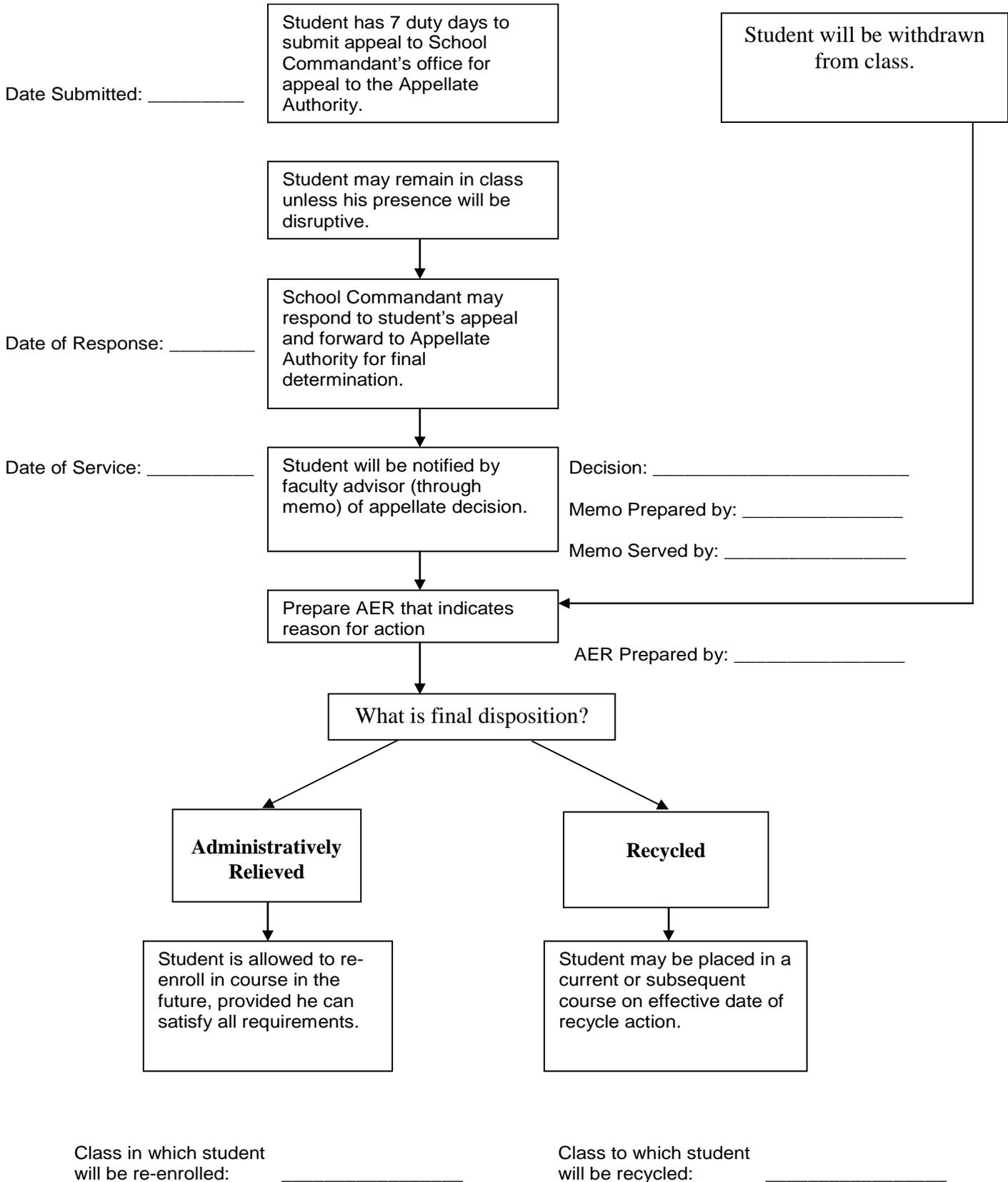
Memo Prepared by: \_\_\_\_\_

Memo Served by: \_\_\_\_\_

YES

NO

\*USAFCOEFS Regulation 15-1, 12 August 2010



## APPENDIX C SAMPLE MEMORANDA

Office Symbol (351)

(Date)

THRU (Chain of command)

FOR (Individual concerned, (Rank, name, SSN, unit)

SUBJECT: Notification of Intent to Dismiss From (state course)

1. I am notifying you that you are in jeopardy of being declared a non-graduate because (state basis for recycle action; e.g. poor academic performance, etc.) and I am recommending that you be dismissed from (course title and class #). However, because of your (appropriate reasons, such as attitude, intelligence, or circumstances) I am recommending that you be recycled into (course title and new class #).

2. My concern is based on your failure to meet the prerequisite prescribed for the course. Specifically, you have (insert reason for referral).

b. You may prepare a written statement indicating any pertinent facts bearing on the question of your current status. This statement may be sworn or unsworn. The Commandant, or his designated representative, will review your response and the recommendations of your chain of command in determining your disposition.

c. You will complete the attached acknowledgement and return it, together with this correspondence and your statement (if desired), through your academic chain of command within three duty days of receipt of this memorandum.

3. POC: (Grade, name, duty position, telephone number)

NAME  
RANK, BRANCH  
Commanding

Office Symbol (351)

(Date)

THRU (Chain of command)

FOR (Commandant (Appropriate School))

SUBJECT: Advisement of Right to Respond

1. I acknowledge receipt of the notification of intent to dismiss me from (course title). I further understand my right to respond.

2. Options:

a. \_\_\_\_\_ I do not elect to respond.

b. \_\_\_\_\_ I elect to respond. My response will be submitted within three duty days.

c. \_\_\_\_\_ I respectfully request a delay to submit my response due to the following: (state specific basis for requesting delay)

INDIVIDUAL CONCERNED  
000-00-0000  
RANK, UNIT

Student Election of Rights

C-2

Office Symbol (351)

(Date)

THRU (Chain of command)

FOR (Individual concerned, (Rank, name, SSN, unit)

SUBJECT: Notification of Intent to Dismiss From (course)

1. I am notifying you of my recommendation that you be dismissed from (Course and class number) due to academic failure because at this point it is mathematically impossible for you to successfully graduate. Because of your (INSERT APPROPRIATE REASONS such as lack of motivation, failure to persevere, inability to grasp the material, etc.), I am recommending that you be declared a non-graduate and dismissed from (appropriate school).
2. You are entitled to a Faculty Board if you wish to present your case. You may also waive your right to a Faculty Board. Prior to making a decision on whether or not to request a hearing before a Faculty Board, you will report to counseling with the Cdr, (appropriate BDE), or his designee, and the (Appropriate School) Commandant, or his designee. They will inform you as to whether they concur with my recommendation or are recommending recycle or another option.
3. In the event you waive a hearing before a Faculty Board, the chain of command recommendations and your academic information will be forwarded to the Commandant (appropriate school) for a decision on whether to dismiss or recycle you. In the event you request a Faculty Board, the Faculty Board's recommendation will also be included in the packet being forwarded to the Commandant. The Faculty Board recommendations and the chain of command recommendations are not binding on the Commandant. He will consider all recommendations received and make an independent decision regarding your case. He may recycle you or he may declare you a non-graduate and dismiss you from the course.
4. In the event the Commandant recycles you to a follow-on class, you will not have the right to request a subsequent Faculty Board if it once again becomes mathematically impossible for you to successfully complete the course.
5. You will report to the Cdr, (Appropriate BDE), or his designee on **DATE** at **TIME** for counseling and to the (appropriate School) Commandant or his designee on **DATE** at **TIME** for counseling.

Course Dismissal Counseling without Recycle Recommendation  
C-3.

OFFICE SYMBOL

SUBJECT: Notification of Intent to Dismiss From (state course)

6. Immediately following your appointment for counseling with the (appropriate School) Commandant, you will return the attached memorandum to me. If you request a Faculty Board, you will be given at least 7 duty days to prepare.

8. The point of contact is the undersigned at XXX-XXXX.

5 Encls

1. Grade Sheet
2. Counseling Forms
3. APFT Card
4. ORB
5. Orders

NAME

RANK, BRANCH

Commanding

Office Symbol (351)

(Date)

MEMORANDUM FOR RECORD

SUBJECT: Dismissal Counseling Acknowledgement for Rank LAST, FIRST, SSN, Course and class number, unit, Fort Sill, OK 73503-5000

1. I acknowledge receipt of your memorandum. I understand my rights set forth in the notice.
2. I understand that you are recommending that I be dismissed from (Course and class number), declared a non-graduate.
3. After having been counseled by the Cdr, (appropriate Brigade) and the (appropriate School) Commandant, as to what they will recommend in my case, and after careful consideration, I make the following elections:
  - a. \_\_\_\_\_ I request to appear before a Faculty Board but understand that a Faculty Board recommendation is not binding on the Commandant. I understand that a Faculty Board may only make recommendations to the Brigade Commander and the school Commandant.
  - b. \_\_\_\_\_ I waive my right to request a Faculty Board.
4. I (do) (do not) intend to submit documents for consideration by the Commandant.
5. I (do) (do not) desire the opportunity to consult with military legal counsel, or civilian counsel at my own expense.
6. I (do) (do not) intend to present witnesses on my behalf.
7. The point of contact is the undersigned at XXX-XXXX.

FIRST LAST (Respondent)  
Rank, Branch  
Student, course and class number

Student Election of Rights (Dismissal without recycle)

C-5

\*USAFCOEFS Regulation 15-1, 12 August 2010

Office Symbol (351)

(Date)

THRU (Chain of command)

MEMORANDUM FOR *STUDENT*

SUBJECT: Referral of Respondent

1. Pursuant to your request and in accordance with USAFCOEFS Regulation 15-1, your case is referred to the Faculty Board appointed in the attached memorandum. The Faculty Board will investigate allegations that you \_\_\_\_\_.
2. The board will make findings and recommendations as provided for in USAFCOEFS Regulation 15-1.
3. The findings and recommendations of the Faculty Board not binding on the Commandant, but will be taken into consideration as he/she make a disposition decision on your case.

Name  
RANK, Branch  
Commanding (BDE Cdr)

Referral of Respondent(Notice from Chain of Command)

C-6

Office Symbol (351)

(Date)

MEMORANDUM FOR STUDENT'S NAME, UNIT

SUBJECT: Notification of Convening of Faculty Board

1. References.

a. USAFCOEFS Reg 15-1.

2. You are hereby notified that a board of officers will convene at \_\_\_\_ on \_\_\_\_ in building \_\_\_\_, room \_\_\_\_, Fort Sill, Oklahoma, to investigate allegations that you \_\_\_\_\_. The board will make findings and recommendations as prescribed in references 1a above. The President of the board has prescribed that the uniform to be worn is \_\_\_\_\_.

3. The following witnesses are expected to testify.

a. Name, Unit, Duty Telephone Number.

b. Name, Unit, Duty Telephone Number.

4. You may personally appear at open sessions and to present any relevant evidence. As an enclosure to this memorandum you will find copies of statements and other documents related to this matter. If you appear at the proceedings you must represent yourself, although you may bring counsel detailed by the United States Army Trial Defense Service or civilian counsel, retained at no cost to the government, to advise you. Counsel will not be permitted to directly participate in the proceedings. You may elect to submit matters in writing to the Board in lieu of personal appearance.

Encls

As

Name

Rank, Branch

Recorder

Receipt of memorandum acknowledged

\_\_\_\_\_  
(Respondent's Signature) (Time) (Date)

Notification of Convening of Faculty Board (From Recorder)

C-7

(Office Symbol) (351)

(Date)

MEMORANDUM FOR RECORD

SUBJECT: Voluntarily Extend on Active Duty

1. Reference: Memorandum, ARPERCEN, DARP-OPL, 10 December 1990, subject: Extensions of Reserve Component (RC) Lieutenants Attending Officer Basic Course.
2. I have been counseled by my chain of command and the RC advisor, and I fully understand the pending personnel actions against me.
3. It is/is not my desire to voluntarily extend on active duty for training so I may actively participate in the ongoing personnel actions.
4. I understand my extension on active duty is contingent on approval by the U.S. Army Reserve Personnel Center or State Adjutant General.

NAME  
RANK/SSN:  
USAR/ARNG (As appropriate)  
CLASS TITLE AND #

Format For Memorandum for Record Voluntary Extension Election  
C-8

**APPENDIX D**

Office Symbol (351)

(Date)

MEMORANDUM FOR RECORD

SUBJECT: Appointment of the (Appropriate School) Standing Faculty Board

1. Pursuant to the authority in AR 15-6, Procedures for Investigating Officers and Boards for Officers and USAFCOEFS Regulation 15-1, Boards, Commissions, and Committees, a Standing Board of Officers is appointed with the following members:

Board President

Rank NAME, (appropriate unit of assignment)

Board Members

1. Rank NAME, (appropriate unit of assignment)
2. Rank NAME, (appropriate unit of assignment)
3. Rank NAME, (appropriate unit of assignment) (as appropriate)

Recorder

Rank NAME, (appropriate unit of assignment)

Lay Counsel

Rank NAME, (appropriate unit of assignment)

Alternate Board Presidents

1. Rank NAME, (appropriate unit of assignment)
2. Rank NAME, (appropriate unit of assignment)
3. Rank NAME, (appropriate unit of assignment) (as appropriate)

Alternate Board Members

1. Rank NAME, (appropriate unit of assignment)
2. Rank NAME, (appropriate unit of assignment)
3. Rank NAME, (appropriate unit of assignment) (as appropriate)

Alternate Recorders

- 1.
- 2.

Standing Faculty Board Appointment Memorandum (Sample)

D-1

ATZB-ATC (351-10)

SUBJECT: Appointment of the (Course Name) Standing Faculty Board

Alternate Lay Counsel

- 1.
- 2.
- 3.
- 4.

2. An attorney from the Administrative and Civil Law Division will serve as the legal advisor to the President of the board.

3. Alternate selectees are ranked in the order in which they shall replace the primary selectees in the event of a challenge for cause, illness, or other valid reason for excusal.

4. The purpose of the board is to make findings as to why a student is not achieving course standards and make recommendations to the Commandant as to what course of action, if any, should be taken under the applicable regulations

6. Duty on this Board of Inquiry takes priority over all duties, unless excused by the course convening authority.

7. The board will serve for a period of approximately 6 months effective (Date).

NAME  
BG, USA  
Commandant

**APPENDIX E**

**FACULTY BOARD PACKET LISTING INDEX**

1. Recommendation of battery commander
2. Recommendation of the battalion commander.
3. Counseling/Recommendation by Brigade Commander or Designee.
4. Counseling/Recommendation by Assistant Commandant or Designee.
5. TAB A – Student background information sheet and election of rights.
6. TAB B – Student academic record.
7. TAB C – Diagnostic reading scores (if available).
8. TAB D – APFT score card.
9. TAB E – Counseling statements (DA Form 4856-4) arranged in chronological order, the most recent, first, to the oldest, last.
10. TAB F – Assignment Orders to Fort Sill
11. TAB G – Autobiography of student.
12. TAB H – Syllabus.
13. TAB I – Any additional evidence, including summary of Faculty Board proceedings.

## **APPENDIX F**

### **INSTRUCTIONS FOR FACULTY BOARD MEMBERS**

1. Purpose: To provide instructions to presidents and members of faculty boards concerning their responsibilities and duties.
2. We must ensure that graduates of USAFCOEFS courses have acquired the knowledge and have the capability to perform for which they have been trained. Students who do not measure up to performance, leadership, and disciplinary standards of USAFCOEFS will not be allowed to graduate. Therefore, students who are academically deficient (those having an academic average of less than that identified in the course syllabus or who have failed to successfully complete a required task) or who have been deficient in leadership or conduct may be referred to a faculty board, which will make recommendations concerning their disposition. Each student appearing before a faculty board must be carefully evaluated under the “whole person” concept. The faculty board must consider the student’s motivation, attitude, discipline, demonstrated performance, and future potential, as well as his/her academic record. Consideration must be accomplished in complete objectivity, with the good of the service being of paramount importance.
3. Faculty boards are responsible for the following:
  - a. Reviewing the cases of students referred under the provisions of this regulation
  - b. Ascertaining the facts of each case and submitting appropriate findings and recommendations to the Commandant.
  - c. Acting on any other matters that may be referred for considerations.
4. In determining the disposition of academically deficient students, the board will consider the following:
  - a. The proximity of the student’s score to a passing score on the examination failed by the student.
  - b. The number, subject matter, and relative importance of examinations failed or missed by the student.
  - c. Attitude, previous experience, and past record of the student.
  - d. Extenuating circumstances that may have affected the student’s performance.

5. In determining the disposition of leadership deficient students, the board will consider the following:

- a. Leadership potential of the student.
- b. Leadership ratings.
- c. Reports submitted by other students and cadre.
- d. Observation reports.
- e. Degree of motivation.
- f. Attitude of the student.

6. The president of the board is the senior voting member. His position is multifaceted, entailing both administrative and procedural functions (see paragraph 5-1(b), AR 15-6).

7. The respondent has certain rights before and during the board proceedings. These rights include the right to be represented by lay counsel appointed by appropriate authority, the right to be present at the proceedings, the right to testify, the right to call witnesses, the right to present evidence, the right to cross-examine witnesses called by the recorder, and the right to waive his rights.

8. Real, documentary, and testimonial evidence are admissible at the proceedings as governed by the rules outlined in paragraph 3-6 and 3-7, AR 15-6.

9. The findings and recommendations of the faculty board are two separate decisions and are based on a majority vote by the board members. In the case of a tied vote, the board president's vote determines the decision of the faculty board (see AR 15-6 paragraphs 3-9 through 3-12)

**APPENDIX G**

**STANDING PROCEDURES FOR FACULTY BOARDS**

The following procedural examples are provided to assist in the conduct of faculty boards. For guidance not shown herein or elsewhere in the regulation, refer to AR 15-6.

**\*\*\*PRELIMINARY MATTERS\*\*\***

**PRESIDENT: THIS HEARING WILL COME TO ORDER. THIS IS A BOARD OF OFFICERS CALLED TO DETERMINE \_\_\_\_\_**

**\*\*\*COUNSEL\*\*\***

**PRESIDENT; (To the Respondent), HAVE YOU OBTAINED LAY COUNSEL, OBTAINED CIVILIAN COUNSEL AT NO EXPENSE TO THE GOVERNMENT, or ELECTED TO REPRESENT YOURSELF? (Note: Respondent has been informed of his rights and options concerning representation by counsel in his referral letter.)**

**RESPONDENT: (Indicates self-representation or identifies counsel for the record.) (Note: Following entries labeled RESPONDENT also apply to Counsel, if applicable.)**

**\*\*\*LETTER OF APPOINTMENT\*\*\***

**RECORDER: THE BOARD IS APPOINTED BY LETTER OF APPOINTMENT, UNITED STATES ARMY (Appropriate) SCHOOL, DATED \_\_ \_\_\_\_ \_\_\_\_. HAVE ALL MEMBERS OF THE BOARD READ THE LETTER OF APPOINTMENT? (If not, the letter of appointment is Read aloud by the RECORDER or silently by any member who has not read it.)**

**RECORDER: REQUEST THE LETTER OF APPOINTMENT BE ATTACHED TO THESE PROCEEDINGS AS ENCLOSURE 1.**

**PRESIDENT: THE LETTER OF APPOINTMENT WILL BE ATTACHED AS REQUESTED.**

**\*\*\*ACCOUNTING FOR PERSONNEL\*\*\***

**RECORDER: THE FOLLOWING MEMBERS OF THE BOARD ARE PRESENT:**

**PRESIDENT  
MEMBER  
MEMBER  
RECORDER WITHOUT VOTE  
LAY COUNSEL WITHOUT VOTE  
RESPONDENT**

**\*\*\*CHALLENGES\*\*\***

\*USAFCOEFS Regulation 15-1, 12 August 2010

PRESIDENT: (Respondent), YOU MAY CHALLENGE ANY VOTING MEMBER OF THE BOARD FOR LACK OF IMPARTIALITY. DO YOU WANT TO MAKE A CHALLENGE?

RESPONDENT: NO. (THE RESPONDENT CHALLENGES \_\_\_\_\_). (Note: If a challenge for lack of impartiality is made, the president or next senior member; as appropriate, determines the challenge; see paragraph 5-7, AR 15-6. If a challenge is sustained; and the remaining members of the board are less than a quorum, the board will recess until the additional member is added.)

\*\*\*OATHS FOR MEMBERS\*\*\*

RECORDER: THE BOARD WILL BE SWORN. (Note: All persons in the room stand while the oath is administered. Each voting member raises his right hand as his name is called by the recorder in administering the oath).

DO YOU, (STATE YOUR NAME), SWEAR OR AFFIRM THAT YOU WILL FAITHFULLY PERFORM YOUR DUTIES AS A MEMBER OF THIS BOARD; THAT YOU WILL IMPARTIALLY EXAMINE AND INQUIRE INTO THE MATTER NOW BEFORE YOU ACCORDING TO THE EVIDENCE, YOUR CONSCIENCE, AND THE LAWS AND REGULATIONS PROVIDED; THAT YOU WILL MAKE SUCH FINDINGS OF FACT AS ARE SUPPORTED BY THE EVIDENCE OF RECORD; THAT, IN DETERMINING THOSE FACTS, YOU WILL USE YOUR PROFESSIONAL KNOWLEDGE, BEST JUDGEMENT, AND COMMON SENSE AND THAT YOU WILL MAKE SUCH RECOMMENDATIONS AS ARE APPROPRIATE AND WARRANTED BY YOUR FINDINGS ACCORDING TO THE BEST OF YOUR UNDERSTANDING OF THESE RULES, REGULATIONS, POLICIES, AND CUSTOMS OF THE SERVICE, GUIDED BY YOUR CONCEPT OF JUSTICE, BOTH TO THE GOVERNMENT AND TO INDIVIDUALS CONCERNED, SO HELP YOU GOD?

BOARD MEMBER: I DO (Note: The board members lower their hands but remain standing while the oath is administered to the recorder.)

PRESIDENT: DO YOU, (STATE YOUR NAME) SWEAR OR AFFIRM THAT YOU WILL FAITHFULLY PERFORM THE DUTIES OF RECORDER OF THIS BOARD, SO HELP YOU GOD?

RECORDER: I DO. (Note: All persons now resume their seats.)

PRESIDENT: (Note: The president may now give general advice concerning applicable rules for the conduct of the hearing.

\*\*\*NOTIFICATION\*\*\*

RECORDER: THE RESPONDENT WAS NOTIFIED OF THIS HEARING ON \_\_\_\_\_  
\_\_\_\_\_. (Note: Recorder presents a copy of the referral letter to the president.)

RECORDER: REQUEST THE COPY OF THE REFERRAL LETTER BE ATTACHED TO THE PROCEEDINGS AS ENCLOSURE 2.

G-2

PRESIDENT: THE COPY OF THE REFERRAL LETTER WILL BE ATTACHED AS REQUESTED.

\*\*\*PRESENTATIONS OF THE GOVERNMENT'S EVIDENCE\*\*\*

\*\*\*OPENING STATEMENT\*\*\*

RECORDER: (Note: Recorder may make an opening statement at this point to clarify the expected presentation of evidence. Recorder then calls witnesses and presents other evidence relevant to the subject of the proceedings. Recorder should develop the facts in a logical manner designed to facilitate understanding. The order of presentation is within the recorder's discretion except as otherwise directed by the president. The following examples are intended to serve as a guide to the manner of presentation, but not necessarily to the sequence.)

PRESIDENT: THE EVIDENCE SHALL BE SO MARKED AND ACCEPTED.

\*\*\*WITNESSES\*\*\*

RECORDER: (Note: The recorder conducts direct examination of each witness called by himself or at the request of the president or members. The respondent or counsel may then cross-examine the witness. The president or members may then question the witness, but the president may control or limit questions by members.)

RECORDER: THE BOARD CALLS \_\_\_\_\_ AS A WITNESS.  
(Note: A military witness approached and salutes the president, then raises his right hand while the recorder administers the oath. A civilian witness does the same but without saluting.)

RECORDER: (Note: Questions should be asked to develop the matter under consideration.)

RECORDER: THE RECORDER HAS NO FURTHER QUESTIONS: (Note: Respondent or Counsel may cross-examine the witness. The recorder may then conduct a redirect examination.)

RECORDER: ARE THERE ANY QUESTION BY THE BOARD? (Note: Any member who wishes to question the witness should first obtain permission from the president. If either the Recorder, respondent, or counsel wishes to ask further questions after the witness has been questioned by the board, the president's permission should be obtained. Such a request normally should be granted unless the questions are repetitive or go beyond the scope of questions asked by the board.)

\*\*\*CONCLUSION OF TESTIMONY\*\*\*

PRESIDENT: THE WITNESS IS EXCUSED. (Note: The president may advise the witness: YOU ARE INSTRUCTED (REQUESTED) NOT TO DISCUSS YOUR TESTIMONY IN THIS CASE WITH ANYONE OTHER THAN THE RECORDER, RESPONDENT, OR HIS COUNSEL. IF ANYONE ELSE ATTEMPTS TO TALK WITH YOU ABOUT YOUR TESTIMONY YOU SHOULD MAKE THE CIRCUMSTANCES KNOWN TO THE PERSON ORIGINALLY CALLING YOU AS A WITNESS.)

\*\*\*RECALL\*\*\*

\*USAFCOEFS Regulation 15-1, 12 August 2010

PRESIDENT: (Note: Unless expressly excused from further attendance during the hearing, all witnesses remain subject to recall until the proceedings have been concluded.)

RECORDER: (When witness is recalled) YOU ARE REMINDED THAT YOU ARE STILL UNDER OATH. (Note: The procedure for a recalled witness is the same as outline above.)

\*\*\*WITNESS STATEMENT\*\*\*

RECORDER: I REQUEST THAT THIS STATEMENT OF (witness) BE MARKED AS EXHIBIT (Number) AND RECEIVED IN EVIDENCE . THIS WITNESS WILL NOT APPEAR IN PERSON BECAUSE \_\_\_\_\_.

PRESIDENT: THE STATEMENT WILL (WILL NOT) BE ACCEPTED.

RECORDER: (Note: The recorder may read the statement to the board if it is accepted.)

\*\*\*CONCLUSION\*\*\*

RECORDER: I HAVE NOTHING FURTHER TO OFFER RELATING TO THE MATTER UNDER CONSIDERATION.

\*\*\*PRESENTATION OF THE RESPONDENT'S EVIDENCE\*\*\*

\*\*\*OPENING STATEMENT\*\*\*

RESPONDENT: I (THE RESPONDENT) DO/DO NOT HAVE AN OPENING STATEMENT. (Note: The respondent may make an opening statement and then present evidence and witnesses in the same manner as did the recorder. Evidence submitted in the respondent's behalf is marked as exhibits in alphabetical order.)

\*\*\*WITNESSES FOR THE RESPONDENT\*\*\*

RECORDER: (Note: The recorder administers the oath to all witnesses and asks the first Question to identify the witness.)

\*\*\*RESPONDENT AS WITNESS\*\*\*

RECORDER: (Note: The recorder administers the oath to the respondent and ask the first question to identify him.)

RECORDER: ARE YOU THE RESPONDENT IN THIS CASE?

RESPONDENT: YES

\*USAFCOEFS Regulation 15-1, 12 August 2010

\*USAFCOEFS Regulation 15-1, 12 August 2010

PRESIDENT: (Note: When appropriate, the respondent may be advised of his rights under the Uniform Code of Military Justice, Article 31.)

PRESIDENT: (Respondent), PURSUANT TO THE PRIVACY ACT OF 1974, YOU ARE ADVISED THAT THESE BOARD PROCEEDINGS, AND ANY STATEMENTS YOU MAKE, WILL BE FILED SO AS TO BE RETRIEVABLE BY REFERENCE TO YOUR NAME OR OTHER PERSONAL IDENTIFIER. THE AUTHORITY FOR SOLICITING THIS INFORMATION IS U.S.C. SECTION 3013 AND 5U.S.C. SECTION 301. THE PURPOSE IS TO PROVIDE THE COURSE CONVENING AUTHORITY A BASIS FOR A DETERMINATION REGARDING (YOUR RETENTION ON ACTIVE DUTY AND (RETENTION OF YOUR COMMISSION) YOUR RETENTION IN THE COURSE) (ALLEGATIONS MADE AGAINST YOU.) DISCLOSURE IS NOT MANDATORY, BUT WITHHOLDING INFORMATION MAY PREVENT THE BOARD AND COURSE CONVENING AUTHORITY FROM MAKING AN ACCURATE DETERMINATION. DO YOU UNDERSTAND?

RESPONDENT: YES.

PRESIDENT: YOU MAY PROCEED.

RESPONDENT: (NOTE: The respondent presents his testimony. Above procedures for cross-examination and redirect examination apply.)

\*\*\*CONCLUSION OF HEARING\*\*\*

RECORDER: THE RECORDER HAS NO FURTHER EVIDENCE TO OFFER IN THIS HEARING. DOES THE BOARD WISH TO HAVE ANY WITNESSES CALLED OR RECALLED?

PRESIDENT: IT DOES (DOES NOT).

\*\*\*ARGUMENTS\*\*\*

PRESIDENT: YOU MAY PROCEED WITH CLOSING ARGUMENTS.

RECORDER: (Note: The recorder may make a closing argument and will be permitted to offer a rebuttal closing argument whenever the respondent makes a closing argument. However, arguments are not required. If no argument is made, the recorder may say: THE RECORDER SUBMITS THE CASE WITHOUT ARGUMENT.)

RESPONDENT: (Note: After the recorder has made the closing argument, if any, the respondent may make a closing argument. However, arguments are not required. If no argument is made, the Respondent may say: THE RESPONDENT SUBMITS THE CASE WITHOUT ARGUMENT.)

G-5

\*\*\*ADJOURNMENT\*\*\*

PRESIDENT: THE HEARING IS ADJOURNED. (Note: The conclusion of the hearing does not end the duties of the board. The board must arrive at findings based on the evidence and make recommendations supported by those findings. During this process, the board will be in closed session and only voting members of the board will be present. FINDINGS AND RECOMMENDATIONS WILL NOT BE ANNOUNCED TO THE RESPONDENT AND WILL REMAIN CONFIDENTIAL UNTIL REVIEWED BY THE COURSE CONVENING AUTHORITY.)

RECORDER: (Note: The recorder is responsible for compiling the Report of Board Proceedings And Summation of Testimony in a comprehensive and accurate manner and submitting properly authenticated copies thereof to the appointing authority. All documentary and real evidence must be identified as exhibits and be referred to in the Summation of Testimony. Refer to Appendixes Q and R for guidance in completion of the report.)

**APPENDIX H**

**FACULTY BOARD SUMMARY**

1. The Faculty Board was called to order by the board President.
2. The Recorder swore the Faculty Board members. Members were as follows.

Lieutenant Colonel \_\_\_\_\_, President  
Major \_\_\_\_\_, Member  
Captain \_\_\_\_\_, Member  
Etc \_\_\_\_\_, Member

3. The Faculty Board President swore in the Recorder, Captain \_\_\_\_\_.
4. The board reviewed the Respondent's Faculty Board file prior to calling the hearing to order at (***TIME***) on (***DATE***). No testimony or statements from any other parties were taken prior to the Student's presence.

NOTE: All witnesses appearing before the board must be sworn in by the Recorder.

5. The board called the first witness, \_\_\_\_\_, who reported to the President.
6. \_\_\_\_\_ explained to the members of the board (***STATE BRIEFLY THE TESTIMONY***).
7. After questioning of the witness by the board members, the Student (***STATE BRIEFLY WHAT THE RESPONDENT ATTEMPTED TO OBTAIN FROM THE WITNESS***).
8. The board called \_\_\_\_\_ as the second witness. \_\_\_\_\_ informed the board that (***STATE BRIEFLY THE TESTIMONY***).
9. Having no additional witnesses to testify, the Student made his/her argument before the board members. The Student asked the Board to (***STATE BRIEFLY THE STUDENT'S REQUEST***).
10. The Faculty Board members deliberated on the evidence and voted on their individual recommendations.

FINDINGS  
(RESTATE THE FINDINGS)  
RECOMMENDATIONS  
(RESTATE THE RECOMMENDATIONS)

Format Faculty Board Summary  
H-1

**APPENDIX I**

**FINDINGS AND RECOMMENDATIONS WORKSHEET**

1. FINDINGS. On (DATE) the majority of members appointed to hear the case of (STUDENT NAME) found:

a. (STUDENT NAME) (has) (has not) met the (academic) (nonacademic) (disciplinary) standards of the United States Army Field Artillery School.

b. The following facts and circumstances were considered: (LIST FACTORS RELATED TO IMPROPER PERSONAL CONDUCT, ACADEMIC DEFICIENCIES, NEGATIVE ATTITUDE, LACK OF MOTIVATION, FAILURE TO PASS APFT OR MAINTAIN BODY FAT STANDARDS)

2. RECOMMENDATIONS.

a. (STUDENT NAME) (should) (should not) be dismissed from (Course and class number).

b. (ONLY APPLICABLE IN CASES OF DISMISSED FROM COURSE)

(STUDENT NAME) (should) (should not) be recycled into (Course and class number) \_\_\_\_\_ . *(MULTIPLE ACADEMIC RECYCLES REQUIRE TRADOC APPROVAL)*

\_\_\_\_\_  
President

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member (as applicable)

\_\_\_\_\_  
Member (as applicable)

\_\_\_\_\_  
Recorder (Nonvoting)

**I-1.**

**APPENDIX J**

**SUMMATION OF TESTIMONY FOR (APPROPRIATE SCHOOL) FACULTY BOARD  
RELATIVE TO PERTAINING TO (RANK, NAME, SSN, COURSE AND CLASS #)**

1. (RANK, NAME) was referred a faculty board to consider whether he should be allowed to continue in (Course & Class #) or be relieved from the course and declared a non-graduate.
2. On (date), (RANK, NAME) appeared before the faculty board and was informed of the reason for his appearance and the purpose of the board. He affirmed that he had previously received written notification of the reason for his appearance on (date), and was ready to proceed with the hearing. (RANK, NAME) did/did not exercise his right to be represented by lay counsel and stated that (RANK, NAME) would act as lay counsel. He affirmed that he understood his right to cross-examine all witnesses in his case. All witnesses appearing before the board testified under oath.
3. The recorder entered into evidence the memorandum of appointment for the board, which was marked as Enclosure 1.
4. The recorder entered into evidence the referral memorandum to the respondent, which was marked as Enclosure 2.
5. The recorder called (RANK, NAME), small-group instructor for (RANK, NAME). (RANK, NAME) was asked by the recorder, "How is the respondent progressing in tactics instruction?" (RANK, NAME) stated, "(RANK, NAME) failed company-level tactics and was retested. He passed the retest and was allowed to continue on in the course." He stated, "Although (RANK, NAME) had applied himself quite a bit more in battalion tactics, he still was a marginal student. In brigade-level instruction, (RANK, NAME) was not present for a lot of the instruction due to preparing for these proceedings. In the field, (RANK, NAME) had no leadership positions due to missing two days of training due to medical and legal preparations for these proceedings. I was not able to evaluate his leadership potential there."

FORMAT FOR SUMMATION OF TESTIMONY (SAMPLE)

J-1

6. The recorder asked (RANK, NAME), “What type of attitude has (RANK, NAME) shown in your class?” (RANK, NAME) stated that early in the course (RANK, NAME) did not appear to concentrate on his work. He did not ask a lot of questions or make a lot of comments, and his quiz scores were the lowest in the seminar. In battalion, he turned around more and began to ask questions. He could not help in his group very much due to a lack of experience and expertise but not because of lack of effort. He did try to get more help and asked for extra work.

7. The recorder asked (RANK, NAME), “Are you saying that (RANK, NAME), work was marginal based on your experience with him in company tactics alone?” (RANK, NAME), responded, “No, my experience with him was from company through brigade tactics.”

8. (RANK, NAME), asked (RANK, NAME), “Does the advanced course still change instructors for their tactical levels as they have in the past?” (RANK, NAME), responded, “No, we do not resection the seminars at all anymore. Initially at the beginning of the course, I tell each of the students that I would write their academic evaluation report, plus be their instructor for company through brigade, and there is no other instructor involved.”

9. (RANK, NAME),asked (RANK, NAME),, “On a scale of 1 to 10, what would you consider a rating for a marginal student?” (RANK, NAME),responded, “Seventy percent is what we equate as marginal.”

10. (RANK, NAME),asked (RANK, NAME),, “Do you know what (RANK, NAME), course average is? (RANK, NAME), responded, “I believe it is right around 70 percent.” (RANK, NAME), stated that (RANK, NAME),course average is 73.3 percent, including a zero for his Battle Analysis. With only an average grade on his Battle Analysis, his average would have increased up to 80 percent or 83 percent.

11. (RANK, NAME),asked (RANK, NAME),, “Wouldn’t this indicate a higher than marginal type of student?” (RANK, NAME),responded, “No, it does not. Company tactics reflects an individual student’s work effort, potential, etc.; when you get to battalion-and brigade-level, the grades are based on group presentation and work effort. Everyone in the group gets the same grade whether they participated in the work or not.”

12. (RANK, NAME),objected to only being given a 12-hour notice for his defense of (RANK, NAME),. He was notified of his obligation XX January XXXX at 1030. The objection was noted by the president of the board and ordered into the record.

---

Recorder Name (Typed)

(Signature)

FORMAT FOR SUMMATION OF TESTIMONY (SAMPLE)

J-2

**APPENDIX K**

1. Memorandum of Notification of Faculty Board Action with Respondent's memorandum of acknowledgement.
2. Findings and Recommendations Worksheet
3. Faculty Board summary
4. Summation of Testimony
5. DA Form 1574.

MEMO's/Forms Completed and Packet Contents Submitted by Recorder After Board  
K-1

**APPENDIX L**

Office Symbol (351)

(Date)

MEMORANDUM FOR (Individual concerned, unit)

SUBJECT: Advisement of Appellate Rights (for Dismissal Actions)

1. Reference memorandum (office symbol), (date), subject; Relief from USAIS Course of Instruction.
2. You are herein advised of your right to appeal the decision of the (Commandant) directing your dismissal from the (course title), effective this date to the CG, USAFCEFS. (appellate authority).
3. If you intend to appeal, you must notify this office using the attached memorandum (Advisement of Appellate Rights), and you must submit your appeal in writing within three duty days.
4. POC: (Grade, name, duty position, telephone number).

NAME  
BG, USA  
Commandant

Appellate Rights Memorandum (After Faculty Board)

L-1

APPENDIX M

Office Symbol (351)

(Date)

SUBJECT: Advisement of Appellate Rights

THRU (Academic chain of command)

FOR (Appropriate Commandant)

1. I acknowledge notification of my dismissal from (course title). I further understand my appellate rights.

2. Options:

a. \_\_\_\_\_ I do not elect to appeal.

b. \_\_\_\_\_ I elect to appeal. My appeal will be submitted three duty days.

c. \_\_\_\_\_ I respectfully request a delay to submit my appeal due to the following: (state specific basis for requesting delay)

INDIVIDUAL CONCERNED  
000-00-0000  
RANK, UNIT

Acknowledgement of Receipt of Appellate Rights Memorandum (After Faculty Board)

M-1

## **APPENDIX N**

### International Military Students

1. In cases where the Commandant concludes that an IMS should be dismissed, the Commandant must refer all relevant information concerning the student to the Director, International Student Training Detachment (ISTD). ISTD will then coordinate with the Security Assistance Training Field Agency (SATFA), TRADOC, to either approve dismissing the student or permit the student to continue in the course and receive only a certificate of attendance under the provisions of paragraph 10-17, AR 12-15, Joint Security Assistance Training.
2. Generally the student will continue to attend training pending action by SATFA. However, if the Commandant, or organization Commander determines the student's presence at training will adversely affect other students or create a security risk, the Chief of Staff, USAFCOEFS, may suspend the student from training IAW paragraphs 10-16 and 10-36, AR 12-15. In all cases where TRADOC authorizes dismissal, the Commandant must coordinate with ISTD, SATFA, the unified commander, and the appropriate representative in Washington, D.C.

APPENDIX O

**GLOSSARY OF TERMS**

Admin Law	Administrative and Civil Law Division, OSJA
Board(s)	Faculty Board(s)
CG	Commanding General, USAFCEFS;
Convening Authority	Commander, USAFCEFS for UCMJ action and boards convened UP AR 135-175 and/or AR 600-8-24
Dismissal	Disenrollment from a course before the scheduled completion date.
Faculty board	An administrative board convened under the provisions of this regulation
Non probationary	a. Regular Army commissioned officers with more than 5 years commissioned service
	b. Officers in the USAR with more than 5 years of commissioned service
	c. Warrant officers with more than 3 years service since original appointment in their present component
Officer	All commissioned officers, warrant officers attending resident courses at the United States Army Fires Center of Excellence and Fort Sill
President	President of the Faculty Board
Probationary	a. Regular Army commissioned officers with less than 5 years commissioned service (10 USC 630)
	b. Officers in the USAR who have less than 5 years commissioned service
	c. Warrant officers who have less than 3 years service since original appointment in their present component (10 USC 101(35))
Recycle	Action to withdraw a student from one class and place the student in a subsequent class where, after the effective date of recycle, he or she attends all instruction and participates in all events with the subsequent class. This process affords academically deficient students, regardless of reason, the opportunity to successfully complete the USAIS course of instruction.

(ATSF-B)



Eddie Henderson  
G6/CKIO

MATT R. MERRICK  
COL, FA  
Chief of Staff

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