



DEPARTMENT OF THE AIR FORCE
AIR RESERVE PERSONNEL CENTER

MEMORANDUM FOR EVALUATION REPORT APPEALS BOARD APPLICANTS

FROM: ARPC/DPT

SUBJECT: Evaluation Reports Appeal Board Procedures

1. Pursuant to DAFI 36-2406, *Officer and Enlisted Evaluations Systems*, Chapter 10 and as directed by ARPC/CC, ARPC/DPT convenes and conducts the Evaluation Reports Appeal Boards (ERAB). An appeal to the board is evaluated pursuant to the processes and standards explained in DAFI 36-2406 Chapter 10 and Attachment 2. Appeals that fail to follow those requirements or to meet those standards are unlikely to be successful.

2. The following guidance, excerpted from DAFI 36-2406 Chapter 10 and Attachment 2, reflect common deficiencies in applications made to the ERAB and may be helpful to you as you consider making an appeal. You are strongly encouraged to review DAFI 36-2406 Chapter 10 and Attachment 2 in their entirety to review ERAB requirements and procedures. This guidance was developed from reviewing past unsuccessful ERAB appeals, and is provided to ensure ERAB applicants have every opportunity to correct errors and injustices in their record.

a. Applicants must provide clear and credible evidence to support the application. Evaluations that have become a matter of record are presumed to be accurate. The applicant must show, by clear and credible evidence, that an error or injustice occurred. If the board does not understand what happened, and how or why it happened, your appeal may be unsuccessful.

b. To change an evaluation, the applicant must submit supporting statements that are signed and dated that relate specifically to the period of the contested report. Statements should detail the error or injustice and cite important facts that were unknown when the evaluator signed the evaluation and explain how and when the error or injustice was discovered. Statements should include the correct information. If your appeal does not include relevant, signed statements from people with firsthand knowledge of the alleged error or injustice, your appeal may be unsuccessful.

c. Justification from the original evaluators is required in order to approve a change to an evaluator's ratings or comments. If your appeal does not include a justification from the original evaluators that allows the ERAB to understand what happened and why a change is justified, your appeal may be unsuccessful.

d. Appeals from someone other than the ratee must include a statement from the ratee acknowledging that the ratee is aware of the pending action and concurs or non-concurs. If you are appealing an evaluation that is not your own (e.g., an evaluator, FSS, etc.) and your

application does not include a statement from the ratee or a satisfactory explanation of why there is no ratee statement, your appeal will likely be unsuccessful.

e. Appeals are to be submitted within three years of the date the evaluation became a matter of record or be accompanied by a waiver request. If you are appealing an evaluation that is more than three years old, you must include a request for a waiver that cites unusual circumstances that prevented filing in a timely manner. Failure to understand the appeals process is not grounds to grant a waiver.

f. An omitted award or stratification will not normally form the basis for a successful appeal unless the evidence clearly demonstrates an error or injustice occurred and the evaluation is erroneous or unjust based on its content. The simple willingness by evaluators to upgrade, rewrite, or void an evaluation is not a valid basis for doing so. Your application may be unsuccessful if your it does not include clear and convincing evidence that explains how and why the omission of a stratification or award was an error or injustice, does not cite important facts that were unknown when the evaluator signed the evaluation, explain how and when the error or injustice was discovered, or lacks justification from the original evaluators. Simple assertions that the evaluator intended to include a stratification are unlikely to be successful if not corroborated by supporting evidence from the relevant period (e.g., stratification lists or detailed account from the evaluator of how an evaluation was signed with an erroneously omitted stratification). If the ERAB has to speculate about facts or circumstances that lead to the erroneous omission of an award or stratification, your application may be unsuccessful.

g. To amend mismarked ratings, the applicant must submit statements from all evaluators who signed the evaluation that fully explain how the error occurred and why the evaluators did not notice the error when they signed the evaluation. Simple assertions that a rating was mismarked will likely be unsuccessful.

2. The burden is on the applicant to provide the ERAB with clear and credible evidence to overcome the presumption that the evaluation of record is accurate. A thorough application with evidence as outlined above and DAFI 36-2406 Chapter 10 and Attachment 2 greatly enhances an applicant's likelihood of success and helps ensure the accuracy, integrity, and fairness of the evaluation system.

LONNIE D. SELL, Colonel, USAF
Director, DPT