



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**



2017.05.23

MEMORANDUM FOR AFIT/ENS

ATTENTION: MR. KENNETH L. SCHULTZ

FROM: AFIT/ENS

SUBJECT: Notice of Proposed Suspension

1. You are hereby notified that it is proposed to suspend you from duty without pay for two (2) calendar days not earlier than seven (7) calendar days from the date of receipt of this letter. The reason for this proposed action is for your inappropriate conduct on 10 January 2017. This action is being taken to promote the efficiency of the service and in accordance with AFI 36-704, *Discipline and Adverse Actions*.

2. The specific details in support of this proposed action are as follows:

a. You currently encumber a position as an Associate Professor of Logistics and Supply Chain Management, AD-1701-23. In your position, you are required to perform faculty duties in the Department of Operational Sciences and to teach graduate level courses in logistics and supply chain management, which form parts of accredited masters and doctoral degree programs, as well as parts of professional continuing education programs. In addition, you are required to mentor and manage the educational progress of Master of Science and PhD students.

b. On 11 January 2017, at approximately 1530, Major Benjamin Hazen, Faculty Staff, Air Force Institute of Technology (AFIT) informed me of an incident that occurred in your LOGM 542 Management of Logistics Organizations class the previous day regarding racial and sexual comments/remarks that you allegedly made in front of students. Subsequently, an interim notice was issued to you advising that a disciplinary action was being considered against you in connection with the allegations. In addition to the interim notice, you were notified in writing that I reassigned your teaching duties due to the seriousness of the allegations and to allow for a full scope investigation into the allegations against you.

c. On 18 January 2017, a Commander Directed Investigation (CDI) was initiated to investigate all aspects of the facts and circumstances concerning allegations of offensive sexual and racial comments made by you toward students enrolled in the LOGM 542 Management of Logistics Organizations course, located at the Air Force Institute of Technology (AFIT), in which you were the assigned professor. At the conclusion of the investigation and after the review of the facts gathered, two instances of inappropriate conduct were substantiated to have occurred during classroom discussions held on 10 January 2017.

d. On 30 January 2017, First Lieutenant (1Lt) Rachel E. Herald, Master of Science Student, Logistics Management, Department of Operational Sciences (ENS), Graduate School of Engineering and Management, AFIT, provided a sworn statement indicating that she was offended by your comments and did not feel comfortable discussing it with you based on your response. In her interview, 1Lt Herald indicated that on 10 January 2017, the discussion in class was about decision making biases and how stereotypes can influence decision making. The topic

of race came-up and [you] made a comment about the size of African-American men's feet implying that this meant other body parts. In the discussion, you allegedly said, "If any of us got an African-American male in the bedroom, we should let us know if it was true," or words to that effect. Subsequently, she found the comments to be offensive and asked you, "If [you] would make those comments if an African-American was in the classroom," or words to that effect. You indicated that you had made this reference before and the African-American thought it was funny. You went on to say you had been in trouble before about making a joke about "high-rho," in which an Asian interpreted the comment as offensive and confronted you about the matter. In addition, you said, "What are they going to do to me, because I am leaving." After class was over, 1Lt Herald said you approached her and asked if she found your comments inappropriate or offensive, because there is a difference. She stated she said, "Both," and walked away.

e. On 3 February 2017, Captain Melvin Kyle Booth, Master of Science Student, Logistics Management, Department of Operational Sciences (ENS), Graduate School of Engineering and Management, AFIT, provided a sworn statement saying, you used an example regarding stereotypes that "black men have large feet," or words to that effect, and that it implied feet really meant penis. He said everyone in class looked around like "Did [you] really just say that?" He indicated that you questioned a female student about whether she had any experience on the size of black men's feet, and that she was taken aback and said, "No." He mentioned that you went on to say, "take a black man back to your bedroom and measure his feet," or words to that effect. Captain Booth said, the class could not believe you made the comment and he could not make eye contact with you because of your remarks.

f. As a result of the CDI, the Investigating Officer (IO) substantiated the following allegations against you that on 10 January 2017, you made offensive and discriminatory comments of a sexual and racial nature, to wit: "If one of you were to pull an African-American male into the bedroom, you should check the foot size to verify, and let us know," or words to that effect; and "high-rho," or words to that effect, in a manner meant to mock Asians.

g. You were also interviewed and provided a sworn statement during the investigation. You claimed that your example noted in the paragraphs above was limited to a decision about who to have dinner with and that you could not control how students chose to interpret the example.

3. As an Air Force employee, you are expected to maintain high standards of integrity and to conduct yourself in a manner that reflects credit upon yourself and the Agency. Further, we put trust and good faith in you, not only as a federal employee but also as an Associate Professor, who held influence and authority over academic challenges, successes and progress of our students. The students through sworn testimony agreed that your lecture held on 10 January 2017 was unprofessional and that although not all were offended, your conduct was deemed inappropriate. Your misconduct mentioned-above constitutes a severe breach of the employee-employer relationship and thus form the basis for this proposed action.

4. You may reply to this notice personally, in writing, or both to Dr. Adedeji B. Badiru, Dean, Graduate School of Engineering and Management, AFIT/EN, Area B, Building 640, Room 300, telephone 937.255.3636 ext. 4799, within 10 calendar days of the date you receive this notice. If you need more time to prepare and/or present your reply, a written request for additional time, including your reasons for such a request, should be furnished to Dr. Badiru within the time permitted for your reply. You may submit affidavits, statements and/or other documentary

evidence in support of your reply and be assisted when making a reply by an attorney, or other representative of your choosing in accordance with the criteria outlined in AFI 36-704. It is necessary that a memorandum be made of the principal points of any oral reply you make. Therefore, you must inform Dr. Badiru at the beginning of your conversation, that you intend your conversation to be an oral reply to this proposed action.

5. If you are in an active duty status, you will be permitted four hours of official duty time for reviewing the material on which this proposed action is based, for preparing your reply, and for securing affidavits, statements or other documentary evidence in support of your reply. You may arrange for such use of official time with me.

6. If you wish to review the regulations pertinent to this action, review the material being relied upon to support this action, or obtain procedural assistance, you may contact our servicing Human Resources Specialist (Employee Relations), Stephanie Lee, Labor and Employee Management Relations Element, 88 FSS/FSMCZB, Area A, Building 2, telephone 937.904.3413.

7. No decision to suspend you has been made, nor will be made until the time period allowed for your reply has expired. Any reply you make will be given careful consideration before a final decision is made. Whether or not you reply, a written decision will be given to you. During this advance notice period you will continue in your duty status.

A handwritten signature in blue ink, reading "Pignatiello J". The signature is stylized with a large, looped initial "P" and a trailing flourish.

Joseph J. Pignatiello, PhD
Head, Department of Operational Sciences

SUMMARIZED TESTIMONY OF 1ST LT RACHEL E. HERALD

1st Lt Rachel E. Herald appeared at the investigation, was sworn, and testified substantially as follows:

I am an MS student in the Logistics Management program, Department of Operational Sciences (ENS), Graduate School of Engineering and Management, Air Force Institute of Technology. I had Dr Shultz for a Maintenance and Production class in the 2016 Fall Quarter and LOGM 542 in the 2017 Winter Quarter. He was not the best instructor I had and seemed resistant to feedback. He treated all of his students equally as far as I could tell. His courses were structured around reading and homework assignments which were then discussed in class. The classes were very discussion based and I felt comfortable contributing and had no reservations about sharing in class. The classroom environment was not awkward, but sometimes he would make a comment and people would look around at each other thinking "Did he just say that?" In the Fall Quarter he made a joke about the ρ symbol calling it "high-rho" with a reference to an Asian accent. He also used the terms "Commies" and "Frenchies". While students still felt like they could, and did, participate in class discussions, I thought it was not appropriate for a professional setting. It made me uncomfortable because it sounded derogatory. He should use professional terms in a professional setting.

On 10 January 2017 the discussion in class was about decision making biases and how stereotypes can influence decision making. The topic of race came up and Dr. Shultz made a comment about the size of African-American men's feet implying that this meant other body parts. He continued with the lesson. Then he said that if any of us got an African-American male in the bedroom we should let us know if it was true. I found these comments to be offensive. Racial issues can be difficult to discuss, but this was not a professional way to handle it. I asked him if he would make those comments if an African-American was in the classroom. He said he had done that and the African-American thought it was funny. Then he asked if he had told us about the other time he got in trouble. He said he made a joke about "high-rho" that an Asian interpreted as offensive and confronted him about. Then Dr Shultz said "What are they going to do to me, because I'm leaving." Up until these comments the class had been professional, but after I called him out the tone shifted and participation fell off. After class was over, Dr Shultz approached me in the classroom. There were other students around, but he addressed me and asked "Did you find my comments inappropriate or offensive, because there is a difference." I told him "Both" and he walked away.

Dr Shultz crossed a line with me and another class should not have to hear that. I don't know why he made the comment. Maybe he thought it was funny and would lighten the mood. I called him out in class as a way of telling him "Hey, check yourself and think about what you are saying." He was ignorant of the effect his comments had on the class and didn't understand the impact of what he was saying. The discussion he had with me after class reinforced that. I just wanted the behavior to stop. I did not feel comfortable discussing it further with Dr Shultz based on the way he responded to me in class and the conversation after class. Because of that, I went to Maj Benjamin Hazen and asked him to address it with Dr. Shultz. We had one or two more classes with Dr. Shultz and then Lt Col Douglas took over the class. I was surprised they changed instructors, but was glad that it was taken seriously and addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Wright-Patterson Air Force Base, Ohio, on January 30, 2017.


RACHEL E. HERALD, 1st Lt, USAF

SUMMARIZED TESTIMONY OF CAPT MELVIN KYLE BOOTHE.

Capt Melvin Kyle Boothe appeared at the investigation, was sworn, and testified substantially as follows:

I am an MS student in the Logistics Supply Chain Management program, Department of Operational Sciences (ENS), Graduate School of Engineering and Management, Air Force Institute of Technology. I had Dr Shultz for LOGM 569, Maintenance and Production Management, in the 2016 Fall Quarter and LOGM 542 in the 2017 Winter Quarter. He treated all of his students equally. He said he liked to use the Socratic Method and on the first day of class in LOGM 569 he showed us a clip from the movie "The Paper Chase" and said that is the type of instructor he wanted to be. I was unimpressed and it put us off. He is very knowledgeable, but his tact is nonexistent. He was really good at walking the line separating professional behavior from non-professional behavior. In both classes he referenced a study about how women's brains are smaller than men's, but then he said they are just as smart and can do the same things as men. That was his pattern: make a statement that teetered on the line but implied something over the line, then add a statement that brought it back to the professional side. These statements were unnecessary and didn't add to the courses.

On January 10, we were discussing stereotypes, which is a really touchy subject. Dr Shultz mentioned someone could get offended just by talking about them. He went through several examples that I thought he covered fairly and appropriately. I can't remember the exact examples, but I think one involved gender. Then he said "For example, one stereotype is that black men have large feet." He emphasized feet in a way that implied feet really meant penis. Everyone looked around like "Did he really just say that?" Then he said we don't want to make judgments based on stereotypes, but want to make decisions based on data. He asked one of the girls, I think it was Casey Owens, if she had any experience on the size of black men's feet. She was taken aback and said "No." Then he talked about another stereotype and said you can't make assumptions about them. At the end he said the point of the discussion is that you need to act on the data you have so you could "take a black man back to your bedroom and measure his feet." The class kind became unglued. People were uncomfortable and we were all like "Wow, can you believe he said that?" In my opinion it was the first time he clearly stepped over the line. I couldn't make eye contact with him and I couldn't believe he said it. A student behind me, Rachel Herald, raised her hand and said "I'm just curious. If there was an African-American man in this room would have made the same joke?" Dr Shultz replied "I have made that joke with an African-American in the room and he thought it was hilarious." He covered a couple more slides and class ended. Our class met in building 640, room 326, which is a lecture hall with raised seating. He walked up to the fourth row where Lt Herald sat and said "I want to make sure you weren't offended by what I said." Lt Herald told him no. Dr Shultz said he just wanted to check and she told him no again. Then Dr Shultz went back to the front of the room and Lt Herald went out the back door. After class I told Lt Herald if she was going to report him on this I've got her back. I thought she might report it based on her question in class. She dismissed it and said "No, it's fine," but she was embarrassed. There were other students talking in the hall that were surprised he said that. The next class on January 12 he retaught the stereotype section because he thought he wasn't clear. He did it by the book and only referred to examples on his slides.

Dr Shultz's comment about black men made me embarrassed and shocked. Afterwards the classroom was unsettled and everyone was looking around and shuffling their feet. It was really awkward. I think he did it to be funny and make a joke. He would make comments about how he wasn't supposed to curse in class, which he does often. He just does what he wants. It affect my views of him as an instructor and made him lose credibility with most students. The comment was inappropriate because it was a racially and sexually charged joke that was unnecessary to teach the lesson. Afterwards I thought about reporting it. I was concerned that he would make a joke with that subject matter. I was torn because of my experience as an Officer Training School instructor for three years. A comment like this was not

SUMMARIZED TESTIMONY OF DR. KENNETH L. SCHULTZ

Dr Kenneth L. Schultz appeared at the investigation, was sworn, and testified substantially as follows:

I am an Associate Professor of Operational Sciences, Department of Operational Sciences (ENS), Graduate School of Engineering and Management, Air Force Institute of Technology. I taught LOGM 569 in the 2016 Fall Quarter and LOGM 542 in the 2017 Winter Quarter. I am submitting under oath a document titled "Statement on the allegations of inappropriate statements in class on or about 10 January, 2017," dated 13 February 2017. This statement is the foundation of my testimony and should be read first. It will be referred to as "Statement on the Allegations" below.

Good discussion is essential to develop the students' critical thinking skills in my courses. This requires the students to communicate openly, challenge the theories presented in the course, and wrestle with challenges to their own ideas. For example, Evolutionary Psychology says that there are aspects of human behavior that are based on evolutionary needs that helped the human race survive before civilization, but are less useful now in modern times. Some of my students do not believe in evolution so they will have a different view of Evolutionary Psychology than students that do. We can discuss the theory in class, its implications, and its validity. Students can evaluate the theory and then describe and defend their views.

One of the topics in class on 10 January 2017 was stereotypes. I have submitted the PowerPoint slides I used in LOGM 542 in class on 10 January 2017, titled "LOGM 542, Winter 2017, Lesson #3, Decision Biases", dated 10 January 2017. I began discussing stereotypes on the 30th slide, titled "Stereotype," with a definition. I framed the discussion with the 31st slide, titled "Stereotypes." One student brought up an example of a racial stereotype that used African-Americans and basketball. As described in section II of my Statement on the Allegations I used an example about basing a decision on going to dinner with someone based on the size of African-American male's feet. The stereotype to which it alludes is that African-American men have larger penises. This was not part of my lesson plan and my intent was that the example was about a decision on whom to have dinner with. I cannot speculate if students tried to extend the example beyond that. A female African-American student said she disagreed with the stereotype in class. I wasn't sure what she disagreed with and thought it was the basketball example. The stereotypes discussion took longer than expected and I did not get to the last three slides. After class I wanted to make sure there wasn't a problem so I asked her if she was uncomfortable or if she disagreed with the stereotype. She said she was comfortable, but that the language was inappropriate. Students are supposed to disagree with me – that's how they learn to think critically. Another student who sits near the African-American female approached me after class. I wasn't really sure what he was getting at, but I think his point was that the African-American student might have a negative feeling about the class, which I knew already. Another student told me the examples were interesting. The next class I summarized the discussion on stereotypes. I have submitted the PowerPoint slides I used on 12 January 2017, titled "LOGM 542, Management & Behavior in Logistics Organizations, Winter 2017, Lesson #4, Decision Making", dated 12 January 2017. My discussion followed the material on the second and third slides. I wanted to emphasize that stereotypes are not inherently negative, but are a simplified heuristic that is often not useful in making decisions, especially with racial, ethnic, or gender stereotypes (see slide 2 in the Lesson 4 slides on Decision Making).

In the 2016 Fall Quarter in LOGM 569 there is a lesson on queueing theory in which the term "high-p" was used frequently. This term has a technical meaning, is common in the field of queueing theory, and came up sporadically throughout the rest of the course. There was no feedback from the students that they took offense to this term. I do not recall saying on 10 January 2017 that I had previously gotten into trouble for making statements in class. I have said this before in class so that students know they can speak without fear. The only issue I can recall occurred at the University of Alberta years ago. I used a picture of the Soviet Union's flag as a discussion point to see if students would refer to the Soviets as the

Kenneth L. Schultz

Feb 13, 2017

Statement on the allegations of inappropriate statements in class on or about 10 January, 2017.

I. Background

1. This is a discussion based course. Logm 542 is a class on human behavior. I run the class as a discussion based course using readings and case studies to form the basis for discussion on what the theories in the text book mean and how to use them. In order for a discussion course to work the students HAVE TO participate. This is why participation is required and graded. A lack of spirited discussion will mean a degradation in learning outcomes for all students. I strongly encourage open discussion short of statements personally attacking anyone in the classroom.
2. OPEN discussion is essential. It is my belief that it is this type of open exchange of ideas that best leads to development of critical thinking skills. The syllabus states "Open discussion is always encouraged, and you should use the class as a forum to freely express your understanding of the material, convey your criticisms of the material, and exchange ideas with your colleagues and me." When evaluating the contribution of a student's participation the guidelines state "You should consider if, during the course of the class, you never disagree with me that I might be led to wonder what, exactly, you have contributed. If, during the course of the term, you avoid volunteering information for fear I will disagree with you I, again, might be led to wonder what, exactly, you have contributed. Additionally if, during the course of the term, you never call into question the validity of any of the theories or models used in class then you really aren't doing graduate work and should expect your grade to suffer accordingly." In order to develop critical thinking, all things are open to criticism. I expect students to think critically about the text, the theories I present, what I say in class and what others say in class; to bring those thoughts out, and to have an open discussion about what the statements, theories or thoughts mean. This includes the freedom to challenge AF Doctrine if the point comes up. There cannot be critical thinking without challenge and students are encouraged to challenge the thoughts of others, as well as their own.
3. The topic of class on 10 January, 2017 was human cognitive biases. This naturally includes a discussion of racial stereotypes. The common view of stereotypes taught in many schools is that all stereotypes are inherently "bad", that they are wrong and hurtful and should never be used. This view is not an example of critical thought. The points I intended to make about stereotypes demonstrate the use of critical thought and are informed by *Thinking Fast and Slow* by Daniel Kahneman, 2011, Farrar, Straus and Giroux, NY. (Quotes are from this source.)

- ii. In most cases, the stereotype is far more likely to be a result of natural human bias than any real difference.
- iii. In almost all cases, the correlation, if it is even valid, is of so little value that other means are much more valuable.
- iv. Given the minimal potential value of the stereotype, the cultural value of NOT using racial or ethnic stereotypes far outweighs any potential benefit.

II. On the Statement concerning African American men:

In order to teach the points above I needed an example of a stereotype to use in class. The stereotype needed to be one that was:

- d. Somewhat accepted
- e. Was not obviously valid nor invalid
- f. Not offensive
- g. Could easily demonstrate the point that almost always, better information for the decision is available.

I chose for this stereotype 'Assume that there is a stereotype that African American men have larger feet. Would you choose to go to dinner with an African American Male based on this stereotype?' (I'm paraphrasing. I do not remember my exact words.)

In general, this stereotype has the qualities above. And these qualities extend to the stereotype to which it alludes as well. It is not contentious. I have never met anyone who thought it was particularly offensive or degrading. Some people believe the stereotype to be true, others do not, but it does not seem to generate a lot of heated debate.

I was able to use that example to make the following points that I wished to make about basing decisions on racial stereotypes:

- a. It doesn't really matter if it is true or not.
- b. There is other, better, information on which to make a choice on who to go to dinner with.
- c. Even if African Americans do, in general, have larger feet, there is no real guarantee that the one you are going to dinner with does.
- d. Basing dinner on this criteria is incredibly shallow.

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8 February 2017

MEMORANDUM FOR RECORD

SUBJECT: MEETING WITH DR. KENNETH L. SCHULTZ

1. On 7 February 2017 I requested a meeting with Dr. Kenneth L. Schultz via phone message and e-mail for the purpose of interviewing him as the subject of a Commander Directed Investigation. Dr. Shultz replied to my e-mail that he wanted to know specifically what he was accused of saying and the possible consequences before he would speak to me (attachment). I called him and explained that I would present the allegations to him, but could not speak to the possible consequences. He asked for a written copy of the allegations and I said I was not authorized to release any documents to him. I suggested that if we met I could answer some of his procedural questions.
2. We met on 8 February 2017 on or about 1100 in his office. Dr. Schultz turned on his phone and asked to record the conversation. I told him that was not allowed and he shut it off. I read the allegations to him and he copied them down word for word. He asked several questions about procedures I started through the interview script. When I presented the Privacy Act statement for his signature he asked if he could have a copy. I told him no and he refused to sign it saying he wouldn't sign anything he could not have a copy of. In response to his questions I explained how I would interview him and write up a summary of his testimony for his review and signature. Also in response to his questions I read the Information Release section of the interview script to explain how could get access to the Report of Investigation. He refused to take the oath stating that he was not ready to make a statement until he had sought legal counsel. I informed him he was *not* suspected of violating any laws, but he was concerned that an AFI violation could have legal consequences. He said that this investigative process seemed un-American to him because he could not have access to his own testimony, see the report, or even request it until after the investigation was complete and a decision had already been made. He asked if I knew what high-p meant in Logistics theory or if I had looked at the slides for the class. I said I did and had not, and suggested he take the oath so he could provide evidence and explain the significance to me. I told him this was his opportunity to tell his side of the story. I told him that the purpose of my investigation was to gather facts and determine if the allegations were substantiated or not. He asked if I had made a decision. I told him no because I did not have all of the evidence yet. He asked what evidence I had and I told him I could not release that to him. He said he would not make a statement without consulting legal counsel first. I informed him that I needed any information by Thursday 9 February 2017 so I could incorporate it by the deadline of 10 February 2017. He said he would get back to me as quickly as he could. I ended the interview and handed Dr. Shultz off to Lt Col Matthew Douglas in accordance with the CSAF Hand-Off Policy.
3. Dr. Shultz was clearly frustrated and angry at the investigative process. He was very focused on details. He had wanted to collect information for his records and to defend himself and felt he had a right to that information. When I did not provide the information because I did not have the authority to release it he took note. I think he felt the process was not acting in his interests and so he needed to take steps to protect himself. He told me he wasn't mad at me, but was mad at the process.



ANTHONY L. FRANZ, Lt Col, USAF
Investigating Officer

Attachment

Electronic mail exchange between Lt Col Franz and Dr. Schultz, 7 and 8 February 2017

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SUMMARIZED TESTIMONY OF MAJ BENJAMIN T. HAZEN

Maj Benjamin T. Hazen appeared at the investigation, was sworn, and testified substantially as follows:

I am an Assistant Professor of Logistics and Supply Chain Management and Division Chief, Logistics Division, Department of Operational Sciences (ENS), Graduate School of Engineering and Management, Air Force Institute of Technology. On January 10th or 11th, 2017, Lt Col Jason Anderson, another faculty member said a student had something to share. Later I saw Lt Rachel Herald outside of Lt Col Anderson's office and asked if she needed to talk. We went into my office where she started crying while relating a bad class experience she had in Dr. Kenneth Shultz's LOGM 542 class the previous day. They were talking about stereotypes and Dr Shultz said something like "Well you know about African-American men and their large ... feet". He paused for emphasis before he said feet and implied that he meant penis instead of feet. Later in the class he said something like "If one of you were to pull in an African-American man into the bedroom, check his foot size for us and let us know." I thought using an example involving African-American stereotypes when you talk about bias is setting yourself up for trouble. The talk about penis size and verifying it was not proper in the classroom. After this last comment Lt Herald asked him if he would have made the comment with an African-American in the room. Lt Herald is part black, but she looks white. Dr Shultz replied that he had. He also said he had made a "high-rho" joke in reference to Asian-Americans when discussing bias in class in the past. He said he had gotten in trouble before, but there was not much leadership could do about it. After class he asked Lt Herald if his comments were inappropriate or if she was just offended. I think this might have been his weird way of trying to explain things. There is probably a technical difference but that wasn't what was needed at the time. She just wanted it to end and said she was fine and left.

Since she was distraught I verified that Lt Herald was okay and offered support. I told her these things were not tolerated in the Air Force and at AFIT. I said I would report it, but I didn't know what the outcome would be. I knew I had to report the incident. After she left I gathered myself and met with Dr. Joseph Pignatiello, the department head, and Lt Col Matthew Douglas, the military deputy head. Lt Col Douglas had heard through the grapevine that there had been an incident. It was excellent to see the process of reporting and response work correctly. Dr Pignatiello talked to the civilian personnel office and leadership. The next day he asked me to corroborate Lt Herald's story. We use the student chain primarily as a conduit between the faculty and students. I called either Allison Barkelow or Russ Williams who are class leaders for the graduating class. I can't remember which one I called, but they gave me the number for Capt Scott Kubalec who is the class leader for the students that arrived this past fall. He corroborated the gist of the story in different words and felt the comments were inappropriate. He referred me to Lt Francisco Rodriguez who also provided corroboration. The three students triangulated on the same ideas and felt the foot size comment was inappropriate. I provided the corroboration to Dr. Pignatiello and helped him write a memo documenting the incident. I followed up with Lt Herald twice and she is doing well. Dr Shultz was removed from the classroom and I think the class understands why. As far as I can tell the class is going fine, but I have not observed the classroom. I was at AFIT for the week following the incident and then I was TDY for two weeks.

I think Dr. Shultz made the comments. Lt Herald was clearly upset and two other students corroborated her story. I don't know why Dr. Shultz used that example. I don't think he thought it through. I don't think he planned to offend anyone when he went to class but, he chose a very, very poor example and followed it with a poorly chosen comment. He might have been trying to get a laugh to improve the students' perception of him. Overall my impression is that he is a good guy, but he is missing some social wherewithal and self-awareness. He doesn't know when to stop especially if he is defending himself. I've seen it at lunch meetings where he may agree that you are correct, but he is still argues about why he is partly correct. Dr Shultz and I went to the INFORMS conference in Philadelphia on 1-4 November, 2015. We were doing some preliminary interviews with some candidates for two vacant faculty positions. The

SUMMARIZED TESTIMONY OF LT COL MATTHEW A. DOUGLAS

Lt Col Matthew A. Douglas appeared at the investigation, was sworn, and testified substantially as follows:

I am the Military Deputy Head, Department of Operational Sciences (ENS), Graduate School of Engineering and Management, Air Force Institute of Technology. On 11 January 2017 Maj Benjamin Hazen brought me into Dr. Joseph Pignatiello's office to discuss allegations that Dr. Kenneth Shultz had made inappropriate comments in class. Maj Hazen said Lt Rachel Beightel was the complainant, but he also said that the complainant was biracial which fits the description of Lt Rachel Herald. The class is LOGM 542 which discusses the management of organizations. As I understand it the class was having a discussion on individual differences and the topic of stereotypes came up. Dr Shultz made a comment about African-American foot size implying it was related to penis size. He then said "If any of you happen to sleep with one, let me know." The accuser asked him if he would say that if there were any African-Americans in the room. Dr Shultz responded that he had said it before in class with African-Americans and it wasn't a problem. Dr. Shultz brought up a previous incident regarding his use of language and said nothing happened to him then. After class Dr Shultz asked the complainant "Was what I said inappropriate or were you offended, because there is a difference." The complainant answered "Both." A few days later I spoke with Maj Hazen about the incident and he said Dr Shultz specifically said "You know the rumor about African-American men and their large ... feet?" with an emphatic pause before the word feet. My initial thought about the incident was a sarcastic "Great." I was not necessarily surprised that Ken had made a comment that caused controversy, but I was surprised at the type of comment. Ken is a pot-stirrer in meetings. We expect disagreement in this class about leadership and motivation philosophies and seek to pull these out for discussion topics. However, the racial and sexual comments are not necessary and they bothered me. I think maybe he was trying to be funny. I think the student is credible and that Dr Shultz made the comments.

I spoke with Dr Shultz after Dr Pignatiello made me the instructor of record for LOGM 542. The handover of material was very smooth. At this time Dr Shultz said he was puzzled about why he was in trouble. He said he didn't even know what he was being accused of. He asked who accused him and I said I could not tell him that. I felt like he was trying to fish for information. He also said the students probably knew who complained and they might take it out on her. He felt this was more likely to happen if they were upset about the change of instructor. I'm not sure if he thinks he did anything wrong. He is confident, even borderline cocky, but not self-aware about the impact of his actions on other people.

On 17 January 2017, Dr Pignatiello introduced me to the class and told them I was their new instructor for the rest of the quarter. He did not give a reason for the change and I did not discuss it with the class as a whole. I discussed the transition one-on-one with Capt Thomas Bihansky, the class leader. I did not discuss why I replaced Dr Shultz, but he could read between the lines and knew. Capt Bihansky said the students were not concerned about the change of instructor and no one in the class felt ostracized or isolated by other students. I have not observed any retaliation against any students and they, including Lt Beightel, are vocal and engaged with each other in class. However, Lt Herald has participated in group discussions, but has not offered any input during full class discussions. I am not sure if that is a change from before the incident. Otherwise, there are no weird vibes and nothing in the classroom to indicate problems. I think if Dr Shultz had been left in the classroom then the students would have been uncomfortable thinking "What is he going to say next?" I think the student he approached after class would have been especially uncomfortable. I don't think Ken would have retaliated. He is not vindictive, he just tries to provoke disagreements.