

e. Official transcripts are the only documents acceptable for requesting enlistment in an advanced paygrade based on college credits.

f. While in DEP Petitioner completed a "Clean Slate" Disclosure Record that indicated he had completed college/vocational school, and had not provided transcripts to the recruiter.

g. On 16 December 2008 Petitioner signed an "Advanced Paygrade Enlistment Statement of Understanding" indicating he was NOT eligible for Advanced Paygrade.

h. On 17 December 2008, Petitioner shipped to active duty without having submitted his college transcripts. He shipped to active duty as an E-1.

i. Petitioner states that his college transcripts were not available to him at time of enlistment due to "a financial hold on my student records while I was in the Delayed Entry Program, and during the beginning of my time as active duty."

j. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has recommended the request be denied. The Navy Recruiting Command's established policy requires all applicants desiring enlistment in a higher paygrade produce official transcripts prior to their ship date. Recruiters brief all applicants regarding this policy, and if official transcripts are provided an entry will be made in Section VI, Remarks, of the DD Form 1966. No entry was made for Petitioner, indicating no transcripts were provided. Additionally, Petitioner admitted he was unable to obtain transcripts due to "a financial hold" on his student records. The Navy is not liable or at fault if applicant is unable to obtain transcripts.

CONCLUSION:

Upon review and consideration of all the evidence of record, notwithstanding the comments contained in enclosure (2), the Board concludes that Petitioner's request warrants favorable action. The Board reasoned that because Petitioner had actually earned the college credits before enlisting he should receive an advanced paygrade at enlistment for that credit, notwithstanding the fact his official transcripts were not timely submitted in accordance with established policy...

RECOMMENDATION:

That Petitioner's naval record be corrected, where appropriate, to show that:

a. He was enlisted in paygrade E-3, vice E-1, effective 17 December 2008 (Active Duty Service Date). He met the criteria for advanced paygrade based on college credits. (NOTE: The change in the effective date of advancement to E-3 may also impact on Petitioner's E-4 advancement opportunity. If Petitioner was eligible for the E-4 examination but did not take it because the above change had not been made, the following procedures will apply. Petitioner should take the next available E-4 advancement examination and compare the Final Multiple Score (FMS) received on that examination with the FMS that was required for the "missed" examination. If the score received meets or exceeds the score that was previously required for advancement Petitioner may reapply to the Board for consideration of advancement to E-4 retroactive to the date he would have been advanced on the "missed" examination cycle. A command endorsement/recommendation and a copy of this letter must be included. The Board will determine whether the request will be approved.)

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

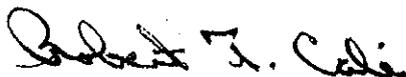
ROBERT D. ZSALMAN
Recorder


WILLIAM J. HESS, III
Acting Recorder

5. The foregoing action of the Board is submitted for your review and action.


W. DEAN PFEIFFER
Executive Director

Reviewed and Approved



9-24-09


Robert T. Call
Assistant General Counsel
(Manpower and Reserve Affairs)