



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH
Docket No. 9725-09
5 Apr 10

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 5 April 2010. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. Review of your enlistment contract reveals that you voluntarily enlisted in paygrade E-1. You certified that no other promises or guarantees related to your initial grade were made to you. Additionally, review of your transcripts by the Navy Recruiting Command education specialist has revealed that the certificate awarded by the State of California High School was issued based solely on equivalency testing. For enlistment purposes, this is considered a Tier II program, not a Tier I program (High School Diploma Graduate - HSDG). As a result, 15 of the 34 college level credits you earned were used to qualify you for Tier I enlistment. The remaining 19 credits were not enough to meet the established criteria for enlistment in an advanced paygrade. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is also important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,


W. DEAN PFEIFFER
Executive Director