



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

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Docket No. 4677-20
Ref: Signature Date

Dear ■■■■■,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 26 October 2021. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Naval Service Training Command (NSTC) letter 1533 Ser N00/677 of 27 August 2020 and your response to the opinion. The Board also considered NSTC letter 5800 Ser N00/691 of 22 September 2021; a copy of which was previously provided to you for comment.

You requested to establish entitlement to payment of your Spring 2020 semester tuition. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that NSTC 1533/135, Naval Reserve Officers Training Corps Scholarship Contract clearly outlines the purpose of the contract and specifies the requirements for "Continued Eligibility for Scholarship Benefits." A review of your record indicates NSTC notified you of your placement on Interim Leave of Absence for Spring Semester 2020 effective 9 March 2020 as a result of your verbal drop on request. This notification also specified that you would not receive financial benefits associated with being a scholarship midshipman and were personally responsible for payment of any tuition, fees, and other educational expenses incurred during the spring semester of 2020. In this connection, the Board substantially concurred with the comments contained in the advisory opinions.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is 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,

11/19/2021



Deputy Director

Signed by: █