



medically dropped from the school. The Board considered your contention that because you tried to drop the course upon arrival and before seeing the SACO, your Commanding Officer (CO) still issued you the contested Page 11 counseling entry despite medically dropping you from the training course. You contend the command punished you after seeking and accepting help to improve yourself mentally and physically.

The Board noted you were counseled because “your actions and attitude are not in keeping with the high standards and expectations of a Staff Non-Commissioned Officer.” The counseling entry states that after you expressed to your squad instructor that “Drill Instructor duty was not for you and you wanted to quit,” you immediately spoke to the Drill Instructor School leadership again stating you wanted to quit and stating you would “purposely fail an event in order to be dropped.” The Board also noted the Reporting Senior stated in your fitness report that the Page 11 6105 “related to expressing the willingness to quit Drill Instructor School despite being provided resources to help resolve the issues.” The Board determined the counseling entry creates a permanent record of matters your commanding officer deemed significant enough to document. The Board also determined the entry met the 6105 counseling requirements detailed in MCO 1900.16 (MARCORSEPMAN). Specifically, the Board noted the entry provided written notification concerning your deficiencies, specific recommendations for corrective action indicating any assistance available, a comprehensive explanation of the consequences of failure to successfully take the recommended corrective action, and a reasonable opportunity to undertake the recommended corrective action. You were afforded the opportunity to rebut the counseling entry, but you declined to provide a rebuttal for inclusion in your OMPF. Further, the Board noted the counseling entry was appropriately issued by the CO as evidenced by his signature on the entry. The Board thus concluded there is insufficient evidence of material error or injustice warranting corrective action.

After determining the Page 11 6105 counseling entry of 1 February 2021 should remain in your OMPF, the Board did not consider your request to remove the fitness report for the reporting period 6 January 2021 to 5 February 2021 because you have not exhausted your administrative remedies by first requesting the Performance Evaluation Review Board remove the adverse report.

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,

2/10/2022

Executive Director