

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 12 January 2024

DOCKET NUMBER: AR20230004172

APPLICANT REQUESTS: correction of his DA Form 5074 (Record of Award of Entry Grade Credit (Health Services Officers)) to show he was awarded entry grade credit in the rank/grade of captain (CPT)/O-3 for completion of his Master's in Science (MS) and PhD. A personal appearance before the Board.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Northwest University Transcript
- Washington University Transcript
- Ohio State University Transcript
- DA Form 5074, 24 February 2021
- Orders Number A-05-100603, 7 May 2021
- DD Form 214 (Certificate of Release or Discharge from Active Duty), ending on 21 August 2021
- DA Form 71 (Oath of Office Military Personnel), 22 August 2021
- Email correspondence
- DA Form 67-10-1 (Company Grade Plate Officer Evaluation Report)
- Curriculum Vitae
- Officer Record Brief (ORB)

FACTS:

1. The applicant states:

a. Upon entry as a commissioned officer no constructive credit was awarded by the 72D Environmental Science Engineering Officer (ESEO) Area of Concentration (AOC) consultant for his MS or PhD in Soil Science (See email from consultant which also admits constructive credit would be rewarded for a graduate degree in environmental science). According to Title 10 United States Code (USC), section 12207 pay grade will be commensurate with education level. He entered service in the rank/grade of second lieutenant (2LT)/O-1. The pay grade commensurate with MS and PhD is captain (CPT)/O-3.

b. No constructive credit was granted for the applicable Graduate-Level Civilian Education (GLCE) resulting in erroneous entry grade of 2LT when the entry grade of O-3 is commensurate with GLCE of PhD in the applicable field for AOC 72D (Environmental Science Engineering Officer). This error results in unjust under-utilization. Although his entry grade was 2LT he meets career progression standards of military schools and civilian education up to at least the CPT level. He transitioned from enlisted Airborne infantry at the grade of E-5. Although he has PhD in Soil Science, authorship on five peer-reviewed publications in environmental science, two years tenure-track professorship at the collegiate level, almost four years of good conduct enlisted service, Airborne qualified and enough high-performance jumps to begin jump-master school, he was only granted the pay grade of O-1 when O-3 was warranted. He attended Medical Basic Officer Leader Course with one other 72D, though less qualified, who was awarded an O-3 entry grade. That 72D PhD focused on lipid-bilayer permeability and worked for one year as a 5th grade math teacher, acquiring a lab safety certificate for that elementary school. Uneven incomprehensible award of entry grade credit is unjust and has career and lifelong effects on productivity and ultimately diminishes Army service. His leadership supports review of his entry rank.

2. A review of the applicant's official record shows the following:

a. On 19 December 2008, Northwest University conferred the Bachelor of Arts degree in Intercultural Studies and Environmental Science upon the applicant.

b. DA Form 61 (Application for Appointment), dated 22 September 2020, shows the applicant applied to be commissioned in the Medical Service Corps in AOC 72D.

c. DA Form 5074, dated 24 February 2021, shows the applicant was awarded no entry grade credit in the rank/grade of 2LT/O-1 for a MS in Soil Science from Washington State University with attendance from June 2009 through 7 May 2011 and a PhD in Soil Science from The Ohio State University with attendance from June 2011 through 9 August 2015. The remarks block shows "per consultant, no credit for MS and PhD.

d. On 7 May 2021:

(1) Orders Number A-05-100603 issued by the U.S. Army Human Resources Command (HRC), the applicant was ordered to active duty to attend the Army Medical Department Basic Officer Leader Course with a subsequent call to active duty to fulfill an active duty requirement in a voluntary indefinite status.

(2) Orders Number 0521-127-SG07-11 issued by HRC, the applicant was appointed as a Regular Army commissioned officer in the rank/grade of 2LT/O-1.

e. DA Form 1059 (Service School Academic Evaluation Report) shows the applicant attended and completed the AMEDD Basic Officer Leader Course from 23 August 2021 through 15 October 2021.

3. The applicant provides:

a. DD Form 214 showing the applicant's prior Regular Army enlisted service from 30 October 2017 through 21 August 2021 as an Airborne Infantryman.

b. DA Form 71 showing the applicant was appointed as a Regular Army commissioned officer in the Medical Service Corps.

c. Email correspondence between the applicant and the Uniform Services University 72D Consultant to the Surgeon General wherein he explains to the applicant why he was not awarded additional entry grade credit. Specifically, he states:

(1) The Consultant Accessions Team makes a recommendation about Constructive Service Credit (CSC) as part of the academic review. We have a criteria for what type of graduate degrees are recommended for CSC and are very strict with this criteria. We go by the rule: If the Consultant would approve the degree type for Long Term Health Education Training, then we would recommend it for CSC. This is generally limited to MPH, MSPH (must be CEPH accredited), MS in Environmental Health and MS in Environmental Science.

(2) We do not recommend CSC for graduate degrees in Chemistry, Biology, Microbiology, Physics, etc. because at the field-grade level, we are looking for Public Health professionals not professional chemists or microbiologists. There are specific AOCs in the Army inventory for that. We also do not recommend CSC for infantry or airborne experience, or for publications. We recommend CSC for relevant Environmental Health, Environmental Science, or Public Health experience, whether in the military (as an officer) or in the civilian field. During your academic evaluation, we awarded points for your general leadership experience as an officer, and these points resulted in a higher determination level, and surely contributed to your selection by the board; but do not fit the U.S. Army Recruiting Command's criteria for CSC. If he did not agree he could petition the Board.

d. DA Form 67-10-1 showing the applicant was evaluated as a Environmental Science and Engineering Officer for the period 22 August 2021 through 7 December 2022.

e. Curriculum vitae showing the applicant's employment experience, experience in academia, military experience/education, and college degrees.

f. ORB showing the applicant's assignments, education, and award and decorations.

4. On 19 December 2023, Headquarters, U.S. Army Recruiting Command, Medical Service Program Manager, provided an advisory opinion which states:

a. After review of the record pertaining to the applicant, it is the opinion of the Health Services Directorate (HSD) United States Army Recruiting Command (USAREC) that his DA Form 5074 CSC was properly documented and correct.

b. Department of Defense Instruction (DODI) 6000.13 (Accession and Retention Policies, Programs, and Incentives for Military Health Professions Officers (HPOs) states, "Credit for master's and doctorate degrees in a health profession other than those listed in paragraph 1c(3)(a) of this enclosure may be awarded based on actual full-time equivalent education of up to 2 years for a master's degree and up to 4 years for a doctorate degree."

c. As of 18 December 2023, the 72D Deputy Consultant reviewed the applicant's inquiry concurred with the previous assessment and recommendation of the previous 72D consultant, stating "Advanced Education: Candidate has a Master's of Science of Soil Science and a Doctor of Philosophy in Soil Science where the coursework and research is not relevant to the 72D career field; Constructive credit: CSC not recommended. Professional Experience: Candidate has no relevant professional experience. CSC not recommended."

5. On 22 December 2023, the applicant was provided with a copy of the advisory opinion for comment or rebuttal.

6. On 4 January 2024, the applicant responded to the advisory opinion and stated:

a. Respectfully, the advisory opinion documents the arbitrary awarding of constructive credit by officials with less qualification, lesser degrees from lesser institutions, and less peer-reviewed publications, but greater rank and position than the one they judge. These comments will be from a professional perspective, though made with respect for customs, courtesies and tradition, may risk impropriety in this final defense.

b. Error: Masters of Science and PhD in Science from respected state institutions were said to have no relevancy receiving no credit in a science career field.

c. Error: Coursework research and professional experience in Soil Science is not relevant prevention of illness, injury or disease. With graduate level coursework, research, and collegiate work experience in Eukaryotic-Microbial Interactions,

genomics, bacteriology, responses to infection, pathology, physiology, biochemistry, years of research, peer-reviewed publications, and two years tenure track professorship of Environmental Science. Not only qualified for 72D Environmental Science, but instructed as a college professor and primary college advisor those who could have direct commissioned into 72D with their bachelor's degrees in Environmental Science. A college professor awarded the same constructive credit as the one they trained to direct commission as 72D, none.

d. Injustice: Upon attending Basic Officer Leader Course (BOLC) CPT B-H- was the only other active duty 72D at BOLC direct commissioned as a CPT with a PhD in Chemical Engineering, one year experience as a 5th Grade math teacher and a laboratory management certificate for that elementary school. Constructive credit had obviously been an arbitrary decision, less than subjective and likely a recruiting tool. Proximity continues the injustice where CPT B- H- first assignment was in the same 1st Cavalry Division as his as Brigade Combat Team Environmental Science Engineering Officers. Lastly, CPT B- H- was recently chosen and promoted to Division Environmental Science Officer based solely on rank despite his better performance.

e. Injustice: Loss of Constructive Credit has translated to less pay, less promotion potential before retirement, less retirement, less ability for impact on the organization, reduced initial respect from subordinates, peers and supervisors when conducting his duties, and personally degraded respect for his service.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's contentions, the military record, and regulatory guidance. Documentation available for review shows that the applicant completed a series of courses for which he received constructive credit. In consideration of the duties associated with being environment officer, the Board agreed that the course work taken by the applicant, his degree Master's Degree and PhD are applicable to the duties of 72D in terms of Long Term Health Education Training and should be considered for constructive

If the Consultant would approve the degree type for Long Term Health Education Training, then we would recommend it for CSC. This is generally limited to MPH, MSPH (must be CEPH accredited), MS in Environmental Health and MS in Environmental Science.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by awarding the applicant four years of constructive credit for his PhD and are applicable to his duties of a 72D in terms of Long Term Health Education Training.

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I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. DODI 6000.13 (Accession and Retention Policies, Programs, and Incentives for Military HPOs) states:

a. Constructive Service Credit. This credit is awarded to a person who begins commissioned service after obtaining the additional education, training, or experience required for appointment, designation, or assignment as an HPO. The designation will be to the same grade and date of rank comparable to that attained by officers who begin commissioned service after getting a baccalaureate degree and serve for the period of time it would take to obtain the additional education. Constructive service credit will only be used to determine initial grade, rank in grade, and service in grade for promotion eligibility.

b. One year of constructive service credit will be granted for each year of graduate level education toward the first professional degree completed when that degree is required for appointment in the professional specialty being entered. The maximum number of years of constructive service credit that may be awarded under this provision is the number of years of graduate level education required by a majority of institutions that award degrees in that professional field.

c. Credit for master's and doctorate degrees in a health profession other than those listed in paragraph 1c(3)(a) (Doctor of Osteopathic Medicine, Doctors of Dental Surgery, Doctors of Dental Medicine, Doctors of Veterinary Medicine) of this enclosure may be awarded based on actual full-time equivalent education of up to 2 years for a master's degree and up to 4 years for a doctorate degree. Credit may not include time spent in attainment of baccalaureate or other lower degrees. No additional credit may be given for more than one advanced degree in a single field or closely related field. The total credit allowed for both a master's and a doctorate degree may not exceed the maximum allowed for a doctorate.

d. Credit will be awarded for any period of advanced education in a health profession (other than medicine and dentistry) beyond the baccalaureate degree level that exceeds the basic education required for the appointment, if such advanced education will be directly used by the Military Department concerned.

e. Credit may only be given for experience in a health profession other than medicine or dentistry if such experience will be directly used by the Military Department concerned.

2. Army Regulation (AR) 135-101 (Appointment of Reserve Commissioned Officers for Assignment to Army Medical Department Branches) states:

a. Grade and date of rank upon original appointment and assignment to an AMEDD branch will be determined by the number of years of entry grade credit awarded. Except as limited by maximum credit limits (a below (Medical Corps and Dental Corps), entry grade credit granted will be the sum of constructive service credit and credit for prior active commissioned service. Entry grade credit awarded to AMEDD officers upon-appointment or assignment will be recorded on DA Form 5074-R.

b. Table 3-1 (Constructive Service Credit) states for Medical Service Corps credit one year for each year (or school year) limited by level of degree. Credit for additional advanced degrees (see Table 3-4). Degree must add adjunctive skill to primary specialty and must contribute directly to performance in anticipated duty position. Table 3-3 shows Environmental Science Doctorate level credit 4 -years.

3. AR 15-185 (Army Board for Correction of Military Records (ABCMR)) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//