

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 July 2024

DOCKET NUMBER: AR20230013151

APPLICANT REQUESTS: retroactive correction of points awarded and utilized for promotion consideration to the rank/grade of staff sergeant (SSG)/E-6.

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

- DD Form 149 (Application for Correction of Military Record)
- DA Form 705 (Army Physical Fitness Test (APFT) Score Card), 8 September 2020
- Headquarters, U.S. Army Recruiting Command letter, 2 November 2022
- Promotion Point Worksheet (PPW) Developmental/Self-Assessment Tool Promotion to SSG, 8 August 2023

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states in September 2020, she was administered an APFT. She contests that during this event she was on a medical profile which exempted her from taking the sit-up event. When the DA Form 705 was completed, no points were awarded for the sit-up event. She notes that in accordance with Army Regulation (AR) 350-1 (Army Training and Leader Development) service members should be awarded 60 points for events that they are medically exempt from taking. She denies being aware of this requirement until after she departed her assigned unit. Since points were not properly calculated for 3 years, her records incorrectly reflected her points adversely impacting her ability to be promoted to SSG. Her previous attempts to have this issue retroactively corrected have been unsuccessful.
3. A review of the applicant's available service records reflects the following:
 - a. On 4 April 2013, the applicant enlisted in the U.S. Army Reserve (USAR) for 8 years to serve as a 31B (Military Police).

- b. On 23 August 2018, the applicant completed the Basic Leader Course.
- c. On 4 February 2019, Headquarters, 99th Readiness Division issued Orders Number 19-035-00017 announcing the applicant's promotion to the rank/grade of sergeant (SGT)/E-5, effective 1 February 2019.
- d. On 2 April 2019, the applicant elected to extend her enlistment in the USAR by 2 years.
- e. On 15 May 2020, Headquarters, 99th Readiness Division issued Orders Number 20-136-00004 reassigned the applicant to the 450th Civil Affairs Battalion, effective 30 May 2020.
- f. On 19 June 2020, the applicant reenlisted in the USAR for 3 years.
- g. On 14 October 2021, Headquarters, 99th Readiness Division issued Orders Number 21-287-00046 announcing the applicant's award and reclassification into the 42A (Human Resources Specialist) Military Occupational Specialty (MOS), effective 14 October 2021.
- h. On 3 November 2021, the U.S. Army Human Resources Command (HRC) issued Orders Number R-11-107910 ordering the applicant to active duty in the Active Guard/Reserve (AGR) program, effective 30 November 2021.
- i. On 2 June 2023, the applicant elected to extend her enlistment in the USAR by 6 months.
- j. On 5 July 2023, the Department of the Army issued Orders Number 5258782 announcing the applicant's reclassification into the 79R (Army Recruiter) MOS, effective 27 June 2023.
- k. On 31 December 2023, the Department of the Army issued Orders Number 6889583 announcing the applicant's promotion to the rank/grade of SSG/E-6, effective 1 January 2024.
- l. On 4 May 2024, the applicant completed the Advanced Leader Course.

4. The applicant provides:

- a. DA Form 705, dated 8 September 2020, reflective of the applicant's completion of a record APFT on 8 September 2020. The applicant was awarded a total of 138 points which is comprised of 64 points for the push-up event and 74 points for the 2-mile

run event. The applicant was exempt from taking the sit-up event and not awarded any points for this event.

b. Headquarters, U.S. Army Recruiting Command letter, dated 2 November 2022, reflective of communication provided to the applicant's congressional representative regarding the submission of her promotion documents. The Chief, Military Support Programs Division provides that the applicant was flagged due to exceeding the U.S. Army height and weight standards. Due to this action, she was ineligible for promotion. Although the applicant alleges that her battalion administrative assistant did not upload her documents for promotion, her chain of command notes that her promotion documents were uploaded into the Reserve Career Management System (RCMS). Unfortunately, RCMS was not properly updating her promotion records to accurately reflect her promotion points. As a result, a trouble ticket was initiated to determine what, if any discrepancies occurred during the submission of her documents into the RCMS. The applicant would be advised when the issue was resolved.

c. PPW Developmental/Self-Assessment Tool Promotion to SSG, dated 8 August 2023, reflective of the applicant being awarded a total of 191 promotion points. Section A (Military Training) is void of an APFT being administered during this period or any points awarded for an APFT.

5. On 25 April 2024, Headquarters, U.S. Army Reserve Command, Chief, Military Personnel Division, provided an advisory opinion recommending denial of the applicant's request noting that the erroneous scorecard had no bearing on her promotion consideration or selection to SSG. In accordance with AR 600-8-19 (Enlisted Promotions and Reductions), "incorrect promotion scores predicated on missing or inaccurate personnel and/or training information will not constitute a basis for promotion score adjustments to affect previously announced promotions. Corrections to either the personnel or training records affect promotion scores moving forward and not retroactively." Incorrect scores for promotions would not be the basis for adjusting promotions that should have occurred in the past.

6. On 30 April 2024, the applicant was provided with a copy of the advisory opinion and afforded 15 days to provide comments. As of 16 July 2024, the applicant has not responded.

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy, and regulation. The evidence shows the applicant was promoted to sergeant (SGT)/E-5 on 1 February 2019 and promoted to staff sergeant (SSG)/E-6

on 1 January 2024. The Board noted the applicant's request and contention that her SSG promotion consideration in 2020 be reevaluated based on her Army Physical Fitness Test (APFT) scorecard being an inaccurate representation of her points. However, the Board reviewed and concurred with the U.S. Army Reserve Command (USARC) advisory official finding the scorecard had no bearing on her promotion consideration or selection to SSG and determined relief was not warranted. The Board concluded there was no error or injustice in the processing of the applicant's promotion to SSG/E-6 and therefore denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

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. Title 10, USC, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.
2. AR 600-8-19 (Enlisted Promotions and Reductions), Chapter 3 (Semi-Centralized Promotions (Sergeant and Staff Sergeant) provides that consideration by a local promotion board is mandatory for all Soldiers upon initially reaching primary zone eligibility. Once integrated onto a promotion recommended list, Soldiers compete for promotion based on the accumulation of promotion points. Records managers are responsible for personnel information management. Data accuracy ensures promotion points are reflective of a Soldier's actual achievements and accomplishments. Each Soldier bears a personal responsibility to ensure their records are accurate and reflect all information necessary to compute accurate promotion scores. Incorrect promotion scores predicated on missing or inaccurate personnel and/or training information will not constitute a basis for promotion score adjustments to affect previously announced promotions. Corrections to either the personnel or training records affect promotion scores moving forward and not retroactively.
3. Army Regulation (AR) 15-185 (ABCMR) paragraph 2-9 states the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

//NOTHING FOLLOWS//