

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 2 July 2024

DOCKET NUMBER: AR20230013422

APPLICANT REQUESTS: correction of his records to show he received qualifying points for a “good year” from 2020 to 2021.

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

- DD Form 149 (Application for Correction of Military Record)
- Training Institute Verification of Participation Certificate, 25 September 2020

FACTS:

1. The applicant states, in effect, he is applying to have a correction made to his service record so that he has a qualifying “good” year from 2020 to 2021. His 1380's were not submitted properly, therefore, he did not receive his points.

2. The applicant provides a Training Institute Verification of Participation Certificate, dated 25 September 2020 for “Hygiene Explosion” training for which he received six continuing education credit hours.

3. The applicant's service record contains the following documents:

a. Memorandum, Subject: Appointment as a Reserve Commissioned Officer of the Army, dated 27 April 2018 reflects he was appointed on 14 May 2018.

b. DA Form 71 (Oath of Office) reflects the applicant took his oath of office as a Reserve Commissioned Officer in the U.S Army Reserve (USAR) in the rank/grade of second lieutenant/O1 on 14 May 2018.

c. Strap Enrollment Verification document to U.S. Army Human Resources Command, dated 11 May 2018 shows the applicant was currently enrolled and is in good standing as a full-time doctoral student at the Virginia Commonwealth University. Upon completion, his specialty or area of study will be Doctor of Dental Surgery, with an anticipated program completion date of 18 May 2019.

d. DA Form 1380 (Record of Individual Performance of Reserve Duty Training)

dated 24 June 2023 shows the applicant performed duty on:

- 17 September 2020, 4 hours per day, 1 retirement point per day: Continuing Education (Clinico-Pathologic Conference) 2 credits
- 25 September 2020, 8 hours per day, 2 retirement points per day): Continuing Education (Hygiene Exploston) 9 credits

e. Retirement Accounting Statement, dated 12 June 2023 shows from 14 May 2020 to 13 May 2021, the applicant only received 48 qualifying points earned for the year.

4. On 5 February 2024, the Chief, Soldier Program Branch, U.S. Army Reserve Command (USARC) provided an advisory opinion stating USARC reviewed the applicant's documents and determined he should be awarded full credit in the amount of 3 points based off Army Regulation (AR) 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records). The Soldier completed Continuing Education Credits and therefore maintained his ability to serve in the U.S. Army Reserve in their capacity as a dentist. Delays in processing were not the Soldier's fault and a favorable decision by the Army Review Boards Agency would allow the RDs to update his points statement.

5. On 25 October 2023, the advisory opinion was provided to the applicant to allow him the opportunity to respond. The applicant resubmitted corrected copies of his DA Forms 1380, which have been summarized in the Record of Proceedings.

6. On 9 February 2024, the advisory opinion was provided to the applicant to allow him the opportunity to respond. He did not respond.

#### BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The applicant provides two DA Form 1380, for duties performed on 17 September 2020, 4 hours per day, 1 retirement point per day for Continuing Education; and 25 September 2020, 2 retirement points per day also for Continuing Education. The Board reviewed and agreed with the USARC advisory official's finding that the applicant should be awarded full credit in the amount of 3 points based off AR 140-185 (Training and Retirement Point Credits and Unit Level Strength and Accounting Records). Since the applicant completed Continuing Education Credits and therefore maintained his ability to serve in the U.S. Army Reserve in their capacity as a dentist and in view of delays in processing that were not the Soldier's fault, the Board determined relief is warranted.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	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 qualifying 3 retirement points, based on submitted DA Forms 1380 for 17 and 25 September 2020, (points only), provided all other criteria is met.

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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:

Army Regulation 140-185 prescribes the types of training and activities for which retirement points are authorized and the procedures for recording retirement point credits and training for U.S. Army Reserve (USAR) Soldiers.

a. Paragraph 2–2, states retirement points may be earned by USAR Soldiers for active duty (AD), or while in an active Reserve status, for active duty for training (ADT), initial active duty for training (IADT), involuntary active duty for training (involuntary ADT), annual training (AT), and IDT. Types of IDT are:

- regularly scheduled unit training includes Unit Training Assemblies (UTA), and Multiple Unit Training Assemblies (MUTA)
- Regularly Scheduled Training (RST) other than UTA/MUTA
- make up assemblies for missed UTA/MUTA due to AT
- Equivalent Training (ET) in lieu of scheduled UTA/MUTA or RST
- additional training assemblies (ATA)
- two-hour unit training assemblies
- training of individual Soldiers in non-pay status

b. Paragraph 2–4 states, personnel on AD, ADT, IADT, involuntary ADT, or AT are awarded 1 point for each calendar day they serve in one of these categories and may not be awarded additional points for other activities while in such status. Most types of IDT are covered by one of the following rules on required duration of IDT and calendar day limitations on points:

- one point for each scheduled 4-hour period of IDT at UTA, RST, ET, ATA, or make up assembly maximum of 2 points in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used, except in the case of 2-hour unit training assembly's maximum of 1 point in 1 calendar day
- one point for each 2 hour or greater period
- two-hour aggregates of shorter periods may be used except in the case of 2-hour unit training assemblies
- award of a second point in the same day requires additional hours to bring the day's total to a minimum of 8, maximum of 2 points in 1 calendar day
- points may not be awarded under more than one of the rules above during any single calendar day

c. Paragraph 3-3(b) provides that a DA Form 1380 will be prepared for a unit Soldier who performs equivalent training or additional training. The code "P" or "N" will be entered in item 9c before the retirement point credit. The code "P" indicates the Soldier is entitled to inactive duty pay for the duties performed; the code "N" indicates the

Soldier is entitled to retirement point credit only. TPU units will retain one copy of the DA Form 1380 to post the appropriate entry into ADARS for the month's report and then place in the appropriate Army records information management system file. Non-paid DA Form 1380s will not be entered into ADARS and will be forwarded to HRC for award of retirement points no later than the end of each duty month. The DA Form 1380 will be scanned into the Soldiers Integrated Personnel Electronic Records Management System record by the unit of assignment.

//NOTHING FOLLOWS//