

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 September 2024

DOCKET NUMBER: AR20230013881

APPLICANT REQUESTS: correction to his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) for the period ending 3 January 1972 to reflect in item 30 (Remarks) 12 years grade school.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, ending 3 January 1972
- New York State High School Equivalency Diploma, 14 February 1985

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, he completed 12 years of grade school and achieved his high school equivalency diploma after discharge from active duty and would like his record to reflect his current education.
3. A review of the applicant's available service record reflects the following:
 - a. On 14 May 1970, he was inducted into the Army of the United States. DD Form 47 (Record of Induction). Item 10 (Education) of this form shows "8 years."
 - b. DA Form 20 (Enlisted Qualification Record) reflects in item 32 (Civilian Education) "Livonia School, 8 years, 1967."
 - c. DD Form 214, ending 3 January 1972 reflects an honorable release from active duty and transfer to the U.S. Army Reserve (USAR) Control Group (Annual Training) with service from 14 May 1970 to 3 January 1972. Item 30 (Remarks) of his DD Form 214 shows the entry "8 years grade school."

d. On 28 April 1976, the Office of the Adjutant General, Reserve Components Personnel and Administration Center issued Letter Orders Number 04-1067937 for an honorable discharge from the USAR Control Group (Standby), effective 1 May 1976.

4. The applicant provides the New York State High School Equivalency Diploma, dated 14 February 1985 showing he completed 12 years of education achieving a diploma.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The evidence of record shows the applicant served on active duty from May 1970 to January 1972. Although the applicant provides the New York State High School Equivalency Diploma, dated 14 February 1985 showing he completed 12 years of education achieving a diploma, at the time of his release from active duty, he had not completed his high school. Therefore, the entry on his DD Form 214 is not in error. The DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. The information entered thereon reflects the conditions as they existed at the time of separation.

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.

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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. 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. Army Regulation 635-5 (Personnel Separations) in effect at the time states item 30; will be used to complete entries too long for their respective blocks. When used for cross-reference, the item number must precede the continued information. B(1). Enlisted personnel. Enter the highest civilian education level attained as the first entry in

this block when not adequately covered in block 25. This information will be taken from DA Form 20.

//NOTHING FOLLOWS//