



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No. 1393-24
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED], USN,
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) BUPERSINT 1430.16G
(c) NAVADMIN 135/22

Encl: (1) DD Form 149 w/attachments
(2) NPC memo 1430 PERS 80831/262, 31 May 24
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to establish retroactive advancement to Sonar Technician Submarine Third Class (STS3)/E-4 from the September 2022 (Cycle 256) Navy Wide Advancement Examination (NWAE).

2. The Board, consisting of [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 22 August 2024 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), Commanding Officers and Officers in Charge are authorized to submit exception to policy (ETP) requests with Command Immediate Superior in Command endorsement within 6-months after the exams limiting date. The September exam limiting date is 30 June of the next year.

b. Reference (c) announced guidance for the administration of the September 2022 (Cycle 256) E-4 NWAE. The minimum time-in-rate (TIR) for E-4 was on or before 1 July 2022. Candidates taking the E-4 NWAE had their performance mark average (PMA) computed using

Subj: REVIEW OF NAVAL RECORD [REDACTED], USN,
[REDACTED]

all evaluations in the current pay grade that fell within the 1 January 2022 and 31 August 2022 period.

c. On 17 September 2021, Petitioner advanced to STSSN/E-3 with TIR date of 1 October 2021.

d. On 14 October 2021, Petitioner completed Professional Military Knowledge Eligibility Exam for E-4.

e. On 25 August 2022, Petitioner issued Periodic evaluation for period of report from 18 September 2021 to 15 July 2022 with Must Promote promotion recommendation and retention recommended.

f. In September 2022, Petitioner participated in Cycle 256 NWAE. Final Multiple Score (FMS) was 50.54, however the exam was invalidated because a PMA was not entered.

g. In March 2023, Petitioner participated in Cycle 259 NWAE and advanced to STS3/E-4 effective 16 December 2023 with TIR date of 1 July 2023.

h. In the advisory opinion, attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

i. On 20 August 2024, Naval Education Training and Professional Development Center (NETPDC) recalculated Petitioner's Cycle 256 NWAE with a 3.80 PMA and determined his FMS of 98.54 exceeded the minimum multiple required score of 98.44. NETPDC determined correction of Petitioner's PMA would result in advancement to STS3/E-4 effective 16 June 2023 with TIR date of 1 January 2023.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an error warranting the following corrective action. The Board concluded that Petitioner's missing PMA was an administrative oversight that was not the fault of the Petitioner and impeded his ability to advance from Cycle 256 NWAE. Therefore, the Board determined that under this circumstance, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner's Examination Profile Information and Exam Status sheet from the September 2022 (Cycle 256) NWAE is modified to reflect PMA/Evaluation Average: "3.80/48.00" vice "blank"; FMS: "98.54" vice "50.54" and Final Status: "SELECTEE" vice "ACTIVITY INVAL." Note: NETPDC and Navy Personnel Command (PERS-803) are authorized to correct any other entries affected by the Board's recommendation.

Subj: REVIEW OF NAVAL RECORD [REDACTED], USN,
[REDACTED]

Petitioner advanced to STS3/E-4 effective "16 June 2023" vice "16 December 2023" with TIR date of "1 January 2023" vice "1 July 2023."

Note: The change to the effective date of advancement to E-4 may also have affected Petitioner's E-5 advancement opportunity. If Petitioner was eligible for but did not take the E-5 NWAEE because the above change had not occurred, the following procedures will apply to remediate that missed opportunity. Petitioner should submit an ETP to the Chief of Naval Operations (OPNAV N132) in accordance with reference (b). If all requirements are met for a missed exam and OPNAV N132 disapproves an ETP, Petitioner may reapply to this Board for consideration of advancement to E-5 retroactive to the date Petitioner would have advanced on the "missed" examination cycle(s). Petitioner must submit a DD Form 149, with at least a copy of worksheet for the missed cycle(s), command endorsement/recommendation, disapproved ETP and a copy of this letter. The Board will then determine whether the request for retroactive advancement will be approved.

A copy of this report of proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above titled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

9/9/2024

