

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

> Docket No. 5383-24 Ref: Signature Date

Dear

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 2 October 2024. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

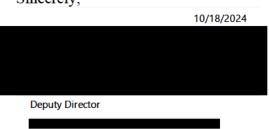
The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to establish eligibility to transfer Post-9/11 GI Bill education benefits to your eligible dependents effective 30 January 2022. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded the ability to transfer Post-9/11 GI Bill education benefits to eligible dependents is a recruiting and retention tool that became effective 1 August 2009 in accordance with Title 38 U.S.C. § 3319. The Bureau of Naval Personnel Notice 1780 published on 7 April 2010 with several policy updates thereafter that outlined eligibility, processing, service obligation, and reference information germane to transferring education benefits to eligible dependents. Additionally, the policy directed members to periodically check the status of their application; a denied transfer of education benefits (TEB) application requires members to take corrective action and reapply with a new service obligation end date. On 24 September 2018, Navy Administrative message 236/18 updated the TEB process by establishing an online

self-service Statement of Understanding (SOU) that is required to be completed by all Sailors prior to submitting a TEB application effective 1 October 2018.

A review of your record reflects you entered active duty on 20 December 2014. You submitted your TEB application on 28 January 2022 via the MilConnect TEB portal. The MilConnect TEB portal specifically provides a warning to Sailors indicating, "YOU MUST complete a Statement of Understanding (SOU) in the MyNavy Education website BEFORE submitting your TEB request. Requests from members who have not completed the SOU WILL BE rejected" and provides a link to the required SOU. On 31 January 2022, the Service rejected your application indicating, "Disapproved - SM [Service Member] has not committed to the required additional service time." You completed the TEB SOU on 9 January 2024 and submitted your second TEB application on 30 January 2024, which the Service approved with an obligation end date of 29 January 2028. The Board could not find, nor did you provide evidence of completing the TEB SOU prior to 9 January 2024, therefore, the Board determined a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.



Sincerely,