



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

██████████
Docket No. 5444-24
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF ██████████
██████████ XXX XX ██████████ USMC

Ref: (a) Title 10 U.S.C. § 1552
(b) MCO 1610.7A (PESMAN)
(c) MCO 1070.12K (IRAM)
(d) MCO 1900.16 (MARCORSEPMAN)

Encl: (1) DD Form 149 w/enclosures
(2) Chief Instructor, Welcome Aboard Email of 15 Dec 21
(3) PFT Score Sheet of 21 Jan 22
(4) NAVMC 118(11) Administrative Remarks counseling entry of 10 Feb 22
(5) Petitioner rebuttal of 28 Jan 22

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 her naval record be corrected by removing her 10 February 2022 Administrative Remarks (6105) Page 11 counseling entry.

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 4 June 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 the naval records, 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 as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. On ██████████, while a student at the Drill Instructor School ██████████ Petitioner ran a physical fitness test (PFT) and failed to achieve the minimum passing score required for students. As a result, Petitioner received the counseling entry notifying her that she was being disenrolled from DI School for failure to obtain a minimum first class PFT during the Initial PFT for the course. Petitioner signed the counseling entry and although the counseling entry does not indicate whether she intended to/not to submit a rebuttal statement, she was given the opportunity to submit a statement and it could be found in her official record. See Enclosures (2) through (5).

Subj: REVIEW OF NAVAL RECORD OF [REDACTED].
[REDACTED] XXX XX [REDACTED] USMC

c. Petitioner asserts that during DI School, an incident unfolded during an unscheduled initial PFT which resulted in her dismissal from the program 23 days later despite meeting all requirements and being fully qualified. She further contends that the incident should have been documented separately as a fitness report upon return from the formal course of instruction on her next evaluation period in accordance with reference (b).

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting relief.

In this regard, the Board noted that pursuant to references (c) and (d), the counseling entry was not issued in accordance with relevant policy. Specifically, the Board determined although the basis for the issuance of the counseling entry was valid, due to the adverse nature of the counseling entry and pursuant to reference (d), the CO was required to sign the counseling entry; something that was not done. Thus, the Board determined the counseling entry and associated rebuttal shall be removed from Petitioner's official record.

RECOMMENDATION

In view of the above, the Board directs the following corrective action:

Petitioner's naval record be corrected by removing enclosures (4) and (5).

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 entitled 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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

6/17/2024

