



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

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Docket No. 951-25
Ref: Signature Date

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Dear Petitioner:

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 8 April 2025. 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 also considered the 14 November 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 22 August 2024 Advisory Opinion (AO) provided to PERB by the Manpower Management Division Records & Performance Branch (MMRP-23). The PERB Decision and the AO were provided to you on 14 November 2024. Although you were given 30 days in which to submit a response, you chose not to do so.

While a student at the Staff Non Commissioned Officer Academy, you received an adverse fitness report covering the period 10 January 2022 to 16 February 2022 for failing to adhere to the Marine Corps standards for body composition. You contend this report is unjust and should be removed because, during the course, physical training activities were canceled due to the Coronavirus pandemic and this affected your ability to maintain standards. You provided documentation showing your compliance with body composition standards before and after your time at the Academy. In addition, you argue that the Performance Evaluation System Manual does not explicitly state that a failure to meet height and weight requirements during a formal school should result in an adverse report.

Upon review, the Board concurred with the AO that while the Physical Fitness Test, Combat Fitness Test and circumference requirement were canceled, it did not remove the Body Composition Evaluation (BCE) entirely. In addition, the Board noted you did not contest the

fitness report at the time of its issuance and chose not to provide a statement. Finally, the Board found that attendance at a school does not prevent a report from being marked adverse if a Marine is not in BCE standards. Consequently, the Board determined that the contested report contains no material error or injustice. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

4/28/2025

