

MILPERSMAN 1531-020

DISPOSITION OF MIDSHIPMEN DISENROLLED FROM THE NAVAL ACADEMY

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References	(a) DODD 1332.23 of 19 Feb 88, and implementing directives of Secretary of the Navy (SECNAV) (b) 10 U.S.C. 651 (c) 10 U.S.C. 6959 (d) 10 U.S.C. 516 (e) 10 U.S.C. 6962 (f) 10 U.S.C. 6963 (g) SECNAVINST 1531.2B (h) BUPERSINST 1900.8B
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1. **Policy**. Per reference (a), this article governs the disenrollment of all United States (U.S.) citizens appointed as midshipmen at the Naval Academy.

2. **Military Service Obligation (MSO)**. A midshipman who enters the Naval Academy directly from civilian status assumes a MSO for a minimum of 6 years under the provisions of reference (b). A midshipman who fails to fulfill the agreement to complete the course of instruction and accept a commission

- may be transferred to the active duty Navy in an appropriate enlisted status, and
- may be ordered to active duty for a period of time not to exceed 3 years as provided in reference (c), or
- may be required to remit monetary recoupment per reference (d).

3. **Resumption of Enlisted Status**

a. As provided in reference (e), enlisted and inducted members of the Armed Forces who accept an appointment as midshipman at the Naval Academy while serving a period of obligated service (OBLISERV) as an enlisted member, or while serving under an enlistment contract, shall not be discharged from that contract. Upon separation from the Naval Academy for reasons other than the acceptance of a commission in a regular or Reserve component of the Naval Service, a midshipman shall have the appointment terminated and, unless otherwise directed by Assistant Secretary of the Navy for Manpower and Reserve Affairs (ASN(M&RA)), shall resume enlisted status as discussed in this article.

b. Time served as a midshipman shall be counted in computing the unexpired portion of an enlistment contract or period of OBLISERV. In the case of disenrolled midshipmen who have been granted a deferment of active duty to complete undergraduate degree requirements, the period of deferment shall not be counted in computing the unexpired portion of an enlistment contract or period of OBLISERV outlined in an agreement whereby a midshipman accepts an Academy appointment. Completion or partial completion of a service obligation acquired by prior enlistment in no way exempts a disenrolled midshipman from being transferred to a Reserve component and ordered to active duty.

4. **Agreement upon Acceptance of Appointment as Midshipman, U.S. Navy.** Superintendent, Naval Academy shall ensure the **Agreement upon Acceptance of Appointment as Midshipman, U.S. Navy** at the Naval Academy is properly executed and witnessed prior to the admission of each midshipman.

5. **Reason for Resignation.** A midshipman who tenders a resignation shall state a specific reason for such action. Prior to final disposition, each case will be considered to determine if the circumstances fall within the guidelines of MILPERSMAN 1910-154 and 1910-156.

6. **Types of Disposition at Disenrollment.** Four types of disposition are possible upon disenrollment from the Naval Academy. Disenrollment is authorized by letter from Secretary of the Navy (SECNAV), or as prescribed by SECNAV, or designed in appropriated regulation, as follows:

a. **Discharge** from the Naval Service, provided the midshipman is determined to be in one of the following categories:

(1) Entered the Naval Academy from civilian status and is disenrolled prior to commencement of Second Class Academic Year.

(2) Is disenrolled from the Naval Academy because of physical disqualification for military service. A midshipman so disenrolled who is already in an enlisted status will be discharged from that status per this manual. In each case of this nature, the individual letter from SECNAV authorizing disenrollment from the Naval Academy will direct separation from the Naval Service as well.

(3) Has less than 12 months of active or reserve service remaining on an enlistment contract per reference (b); however, SECNAV may direct completion of a reserve obligation not exceeding 8 years per reference (b).

(4) Is recommended for discharge from the Naval Academy and from the Naval Service for unsatisfactory conduct or inaptitude under reference (f) and such recommendation is approved by SECNAV. Midshipmen for whom separation from Naval Service is not approved by SECNAV will be processed as directed.

(5) Is found deficient at any examination and recommended for discharge from the Naval Service for failure to meet academic requirements "despite determined efforts" as recommended by the Naval Academy Academic Board under references (g) and (h). Midshipmen not recommended for discharge and waiver obligation because they failed to meet academic requirements "despite determined efforts" will be processed as given elsewhere in this article.

b. **Reassignment in the Navy Reserve**, but not ordered to immediate active duty if the midshipman

(1) is a First or Second Classman whose assignment to the Navy Reserve is directed by SECNAV in the separation letter, but for whom the active duty requirement is waived;

(2) has been granted deferment of active duty by ASN(M&RA) for the purpose of completing undergraduate degree obligation.

c. **Ordered to immediate active duty** if the midshipman

(1) entered the Naval Academy from active duty or any Military Service and has 12 months or more of active duty obligation remaining;

(2) directed to report for active duty under reference (c).

d. **Ordered to remit monetary recoupment** for education benefits received while attending the Academy if not recommended for active duty service to meet those obligations or if the member fails to complete ordered active service.

7. **Assignment to Immediate Active Duty.** Assignment to immediate active duty in enlisted status, other than in fulfillment of a previous enlistment, shall be governed by the following:

a. A midshipman who is disenrolled after commencement of the Second Class Academic Year, except for physical disqualification, will normally be transferred to active duty Navy Service for not less than 2 years of active enlisted service under reference (c).

(1) As noted earlier, per reference (h), when disenrollment occurs as a result of academic deficiencies despite determined efforts by the midshipman, the Naval Academy Academic Board may waive the active duty in enlisted status provision.

(2) Disenrolled midshipmen shall be processed per this manual when, for reasons of hardship or dependency, or other unsuitability for military service, further service is considered inappropriate.

b. In the letter or endorsement concerning the disenrollment of a midshipman, Superintendent, Naval Academy shall recommend whether the midshipman should be ordered to active duty; and if so, for what period; or in the alternative, the amount of monetary recoupment recommended for the member to remit to meet educational benefits received per Academy attendance.

c. Unless the midshipman is determined ineligible for enlisted service by reason of physical disability, each case shall be carefully and individually reviewed by ASN(M&RA) in regard to such service. ASN(M&RA) will then order the period of active enlisted service, if any.

d. The period of active enlisted service will normally be as follows:

(1) Two years when disenrollment occurs prior to commencement of the First Class Academic Year.

(2) Three years when disenrollment occurs after commencement of the First Class Academic Year, but prior to completion of the course of instruction.

(3) Any First Classman who completes the course of instruction, and declines to accept an appointment as a commissioned officer, will be ordered to active enlisted service for 4 years.

(4) Other periods of active enlisted service in unusual situations as determined by ASN(M&RA). The periods recommended should not be for less than 2 years, nor more than 4 years.

e. A first- or second-class midshipman recommended for disenrollment from the Naval Academy for academic deficiency whose active duty is not waived by the Academic Board may request deferment of the start of the active duty to obtain a college degree. Requests for deferment will be granted when ASN(M&RA) determines that deferment is in the best interests of the Navy, based on consideration of the following factors:

(1) The demonstrated reliability or unreliability of the individual as it would affect the risk that the payback would never occur.

(2) An assessment of the benefit to the Navy of further education of the individual, including the possibility of commissioned service.

f. To request deferment, the individual must acknowledge the active duty obligation, be accepted at an accredited 4-year college or university, and provide a statement or other indication from the institution that they can fulfill the degree requirements within the time requested. Deferment will not

normally be granted beyond **July 1st of the year following the year** in which the ex-midshipman's Naval Academy class graduates. Requests should be submitted via the Superintendent to ASN(M&RA).

8. **Paygrade**. The paygrade of disenrolled midshipmen (ordered to active duty or inactive duty in enlisted status) shall be as follows:

a. Paygrade E-1, if appointment is terminated prior to completion of 4 months.

b. Paygrade E-2, if appointment is terminated after the completion of 4 months, but prior to completion of 1 year.

c. Paygrade E-3, if appointment is terminated after 1 year.

d. Paygrade and rating held at the time of admission to the Naval Academy if serving a concurrent enlistment in the Naval Service, except such members who are eligible shall be advanced to a higher paygrade per the above, citing this article as authority.

9. **Deferral of Active Duty**. Disenrolled midshipmen granted a deferral of active duty shall not have the period of deferral included in any seniority computations.

10. **Processing of Disenrolled Midshipmen Separated from Naval Service**. Disenrolled midshipmen separated from Naval Service shall be processed under the following procedures:

IF ...	THEN ...
the midshipman is being disenrolled from the Naval Academy,	prepare letter authorizing separation.
an enlisted member of the Naval Service with less than 12 months remaining on member's 8-year, reference (b), obligation,	<ul style="list-style-type: none"> • issue a DD 214 per reference (g) and • dispose of the service record as provided in this article; • execute any active service or reserve service ordered, or notify DFAS of any monetary recoupment ordered by ASN(M&RA).
an enlisted member of the Naval Service, who is physically disqualified for further enlisted service,	ASN(N&A) approval required.

11. Providing Transportation. For purposes of providing transportation, a disenrolled midshipman assigned to the Navy Reserve is considered as a midshipman whose appointment has been terminated rather than a Navy Reservist who has been released to inactive duty.

12. Processing of Disenrolled Midshipmen to Immediate Active Duty

a. Members will be transferred to Headquarters, Naval District, Washington, D.C., except in the case of midshipmen who are at their home of record in a "separation pending" status, who will be transferred to the naval facility closest to their home of record. A DD 214 (Rev. 2-00), Certificate of Release or Discharge from Active Duty, will be prepared per reference (g). The station concerned will make the member available to Enlisted Placement Management Center (EPMAC) for general detail.

b. Disenrolled midshipmen without prior enlisted service will have NAVPERS 1070/600, (Rev. 5-00), U.S. Navy Enlisted Service Record, prepared by Superintendent, U.S. Naval Academy, prior to transfer to Headquarters, Naval District, Washington, D.C., unless additional service is required to cover a period of active enlisted service assigned by SECNAV. The member's signature is not required on the DD 4 (Rev. 1-01), Enlistment/Reenlistment Document Armed Forces of the U.S. NAVPERS 1070/613 (10-81), Administrative Remarks, will contain an entry setting forth the circumstances pertaining to disenrollment. Forward the original DD 4 and a copy of NAVPERS 1070/613 to Navy Personnel Command (NAVPERSCOM), Executive Services Section (PERS-313C).

c. Midshipmen who entered the Naval Academy from inactive duty in the Navy Reserve who desire to remain on active duty will be required to sign a NAVPERS 1070/613 agreement to remain on active duty for a minimum of **24 months** including time spent at the Naval Academy.