

medical examination must also have a mental status evaluation before discharge.

10-7. Discharge authority

The separation authority will be a commander exercising general court-martial jurisdiction or higher authority (para 1-21 a). However authority to approve discharges in cases in which the soldier—

- a. Has been AWOL for more than 30 days, and
- b. Has been dropped from the rolls of his or her unit as absent in desertion, and
- c. Has been returned to military control, and
- d. Currently is at the PCF, and
- e. Is charged only with AWOL for more than 30 days may be delegated to the commander exercising special court-martial convening authority over the soldier (paras 1-21 c(5) and 1-21 l. The request for discharge must be approved prior to trial (the initial Article 39(a) session for general and special courts-martial, the initial convening of a summary court-martial). (See also para 3-7 c(3).)

10-8. Types of discharge, characterization of service

A discharge under other than honorable conditions normally is appropriate for a soldier who is discharged for the good of the Service. However, the separation authority may direct a general discharge certificate, if such is merited by the soldier's overall record during the current enlistment (chap 3, sec III). For soldiers who have completed entry level status, characterization of service as honorable is not authorized unless the soldier's record is otherwise so meritorious that any other characterization clearly would be improper. When characterization of service under other than honorable conditions is not warranted for a soldier in entry level status, service will be uncharacterized.

10-9. Forwarding fingerprints to the FBI (Rescinded.)

10-10. Disposition of supporting documentation

The request for discharge under the provisions of this chapter will be filed in the MPRJ as permanent material and disposed of per AR 640-10. Material should include appropriate documentation (para 10-3 c) and the separation authority's decision. Statements by the soldier or soldier's counsel submitted in connection with a request per this chapter are not admissible against a soldier in a court-martial except as authorized under Military Rule of Evidence 410, Manual for Courts-Martial.

Chapter 11 Entry Level Performance and Conduct

11-1. General

This chapter sets policy and provides guidance for the separation of personnel because of unsatisfactory performance or conduct (or both) while in entry level status.

11-2. Basis for separation

Separation of a soldier in entry level status may be warranted on grounds of unsatisfactory performance or unsatisfactory performance or unsatisfactory conduct (or both) as evidenced by—

- a. Inability.
- b. Lack of reasonable effort.
- c. Failure to adapt to the military environment.
- d. Minor disciplinary infractions.

11-3. Separation policy

- a. This policy applies to soldiers who—
 - (1) Enlisted in the Regular Army, ARNG, or USAR.
 - (2) Are in entry level status and, before the date of the initiation of separation action, have completed no more than 180 days of creditable continuous AD or IADT or no more than 90 days of

Phase II under a split or alternate training option. See the Glossary for precise definition of entry level status.

(3) Have demonstrated that they are not qualified for retention. The following conditions are illustrations of conduct and/or performance that disqualify soldiers.

(a) Cannot or will not adapt socially or emotionally to military life.

(b) Cannot meet the minimum standards prescribed for successful completion of training because of lack of aptitude, ability, motivation or self-discipline.

(c) Have demonstrated character and behavior characteristics not compatible with satisfactory continued service.

(d) (Rescinded.)

(4) Have failed to respond to counselling (DA Form 4856).

b. Enlisted women who become pregnant while in entry level status—

(1) Will be involuntarily separated under this chapter when the training activity commander with separation authority, in conjunction with the medical officer (obstetrician) determines that they cannot fully participate in the required training for the MOS concerned because of their physical condition. The commander will furnish the training requirements to the obstetrician. Women separated for pregnancy which occurred after entry on AD or IADT are entitled to maternity care in a military medical facility only per AR 40-3, paragraph 4-44.

(2) Will be retained when they can fully participate unless they request separation per chapter 8.

c. *Rescinded.*

d. Nothing in this chapter precludes separation under another provision of this regulation when such separation is warranted. For example, if homosexual conduct is involved, the case will be processed under chapter 15. However, if separation of a soldier in entry level status is warranted by reason of unsatisfactory performance (see chap 13) or unsatisfactory conduct (see para 14-12), separation processing will be accomplished under this chapter.

11-4. Counseling and rehabilitation requirements

Before initiating separation action on a soldier, commanders will insure that the soldier receives adequate counseling and rehabilitation. See *chapter 1, section II*. Counseling and rehabilitation requirements are important when entry level performance and conduct are the reason for separation. Because military service is a calling different from any civilian occupation, a soldier should not be separated when this is the sole reason unless there have been efforts at rehabilitation.

11-5. Separation authority

The commanders specified in paragraph 1-21 are authorized to order separation. Separation will be accomplished within 3 duty days following approval by the separation authority.

11-6. Type of separation

The criteria in chapter 1, section VIII, will govern whether the soldier will be released from AD or ADT with transfer to the IRR, or be discharged. (See paragraph 1-12 for additional instructions on ARNGUS and USAR personnel.)

11-7. Procedures

The commander will take action as specified in the Notification Procedure (chap 2, sec II).

11-8. Description of service

Service will be described as uncharacterized under the provisions of this chapter.