

OFFICE OF THE STAFF JUDGE ADVOCATE

FORT POLK, LOUISIANA

**ADMINISTRATIVE SEPARATIONS
CHECKLIST**



**POC: CONSOLIDATED LEGAL
SERVICES CENTER**

531-4405/0627/4290/0631

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SECRETARIAL PLENARY AUTHORITY

CHAPTER 5-3

INVOLUNTARY/VOLUNTARY

LEAST Favorable Type of Discharge: General
Approval Authority: Secretary of the Army
or Designee*

DOCUMENTATION REQUIRED:

INVOLUNTARY

1. Documents substantiating reason for separation
2. Medical Exam: ensure that SF 88 block 77 states soldier is qualified for separation under chapter 5-3
3. ERB
4. Commander's Request Form, FP Form 754

NOTE: Notification procedure is used, **HOWEVER**, soldier is **NOT ENTITLED TO A BOARD**, per Change 1, AR 635-200

VOLUNTARY

1. DA Form 4187
2. Documents substantiating reason for separation
3. Education Counseling, DA Form 669-1-R
4. ERB
5. Commander's Request Form, FP Form 754

*May only be forwarded by Commander, JRTC & Fort Polk

INVOLUNTARY SEPARATION DUE TO PARENTHOOD

CHAPTER 5-8

INVOLUNTARY

LEAST Favorable Type of Discharge: General*
Approval Authority: SPCMCA (Regt or Bde)

DOCUMENTATION REQUIRED:

1. 1-16 separation counseling
2. Incident after 1-16 counseling
3. Family Care Plan counseling checklist and statement from soldier explaining why plan is not working or failing to meet the soldiers needs
4. In the case of a soldier not required to have a Family Care Plan, documentation supporting that it is the soldier's parental obligations which are interfering with the fulfillment of military responsibilities
5. All supporting documents
6. Medical Evaluation
7. ERB
8. Commander's Request Form, FP Form 754

*No soldier will be awarded a General discharge unless the soldier is notified of the specific factors in his/her service record that warrant such a characterization, using the notification procedure.

SEPARATION BECAUSE OF PERSONALITY DISORDER

CHAPTER 5-13

INVOLUNTARY

LEAST Favorable Type of Discharge: Honorable
Approval Authority: SPCMCA (Regt or Bde)

DOCUMENTATION REQUIRED:

1. 1-16 separation counseling
2. Incident after 1-16 counseling
3. Mental Status Evaluation by a physician trained in psychiatry and psychiatric diagnosis or by a licensed clinical psychologist
4. ERB
5. Commander's Request Form, FP Form 754

NOTE: The Mental Status Evaluation must read along the following lines:
This condition is a deeply ingrained, maladaptive pattern of behavior of long duration which interferes with the soldier's ability to perform his/her duty. Separation is recommended because the disorder is so severe that the soldier's ability to function in the military environment is significantly impaired.

EARLY SEPARATION TO FURTHER EDUCATION

CHAPTER 5-16

VOLUNTARY*

LEAST Favorable Type of Discharge: Honorable
Approval Authority: SPCMCA (Regt or Bde)

DOCUMENTATION REQUIRED:

1. DA Form 4187
2. Original letter of acceptance for enrollment:
 - a. Letter MUST include the day classes start and the latest acceptable registration date
 - b. Letter MUST indicate that individual has been accepted for a full-time course without qualification or probationary status
 - c. The School MUST be approved by the Department of Veterans' Affairs, vocational and technical schools must offer a course of instruction of no less than 3 months. If the school is not listed in the Transition Point's book of VA approved schools, it may be necessary to have the school fax paperwork showing they are VA approved.
3. Statement from soldier which clearly establishes that the specific school term is academically the most opportune time for them to begin or resume their education, and that delay of school enrollment until normal ETS would cause undue personal hardship.
4. Education Counseling, DA Form 669-1-R
5. The Soldier must furnish proof that the college entry fee and tuition fees have been paid or can be paid. (A copy of current LES would do).
6. ERB
7. Commander's Request Form, FP Form 754

NOTE: Date of separation will not be earlier than 10 days prior to the class starting date; soldiers may be separated up to 30 days prior to the date classes start, if evidence is submitted that the 10-day period is insufficient to give the soldier adequate time to register and enter the school on time. Examples include soldiers returning from overseas and those who must move their families to the school location. ACCRUED LEAVE WILL BE USED TO THE MAXIMUM EXTENT POSSIBLE, AS TRANSITION LEAVE, IN CONJUNCTION WITH EARLY SEPARATION.

*Soldiers serving initial enlistment of less than 3 years and, former senior ROTC cadets ordered to active duty are ineligible (see para 5-17).

OTHER DESIGNATED PHYSICAL OR MENTAL CONDITIONS*

CHAPTER 5-17

INVOLUNTARY

LEAST Favorable Type of Discharge: General**
Approval Authority: SPCMCA (Regt or Bde)

DOCUMENTATION REQUIRED:

1. 1-16 separation counseling
2. Incident after 1-16 counseling
3. Medical Examination
4. Mental Examination
5. ERB
6. Commander's Request Form, FP Form 754

*Other designated physical or mental conditions not amount to disability (excluding conditions appropriate under 5-11 or 5-13) that potentially interfere with assignment to or performance of duty. Such conditions may include, but are not limited to, chronic airsickness or seasickness, enuresis, sleepwalking dyslexia, severe nightmares, claustrophobia, and other disorders manifesting disturbances of perception, thinking, emotional control or behavior sufficiently severe that the soldier's ability to effectively perform military duties is significantly impaired.

**No soldier will be awarded a General discharge unless the soldier is notified of the specific factors in his/her service record that warrant such a characterization, using the notification procedure.

SEPARATION BECAUSE OF DEPENDENCY OR HARDSHIP CHAPTER 6

VOLUNTARY

LEAST Favorable Type of Discharge: Honorable
Approval Authority: SPCMCA (Regt or Bde)

DOCUMENTATION REQUIRED:

1. DA Form 4187
2. Affidavit from soldier explaining the nature of the hardship
3. Affidavits:
 - a. Parenthood or sole parenthood:
 - (1) Affidavits from soldier's immediate commander or officer who is the job supervisor, as appropriate, will be considered sufficient to substantiate the applicants claim.
 - (2) Sole parenthood resulting from divorce or separation will be substantiated by a judicial decree or court order awarding child custody to the soldier.
 - b. ALL OTHERS:
 - (1) An affidavit or statement by or on behalf of the soldier's dependent(s) substantiating the dependency or hardship claim.
 - (2) Affidavits by at least two agencies or individuals other than members of the soldier's family, substantiating the dependency or hardship claim.
4. Additional evidence required as follows when basis is:
 - a. Financial difficulty: a detailed statement to establish the monthly income and expenses of the family.
 - b. Death of a member of the soldier's family: a death certificate or other valid proof of death.
 - c. Disability of a member of the soldier's family: a physicians certificate showing the diagnosis, prognosis, and date of disability. Medical statements and certificates will be prepared by the physician and preprinted medical statement forms requiring only a physician's signature will NOT be acceptable.
 - d. To support members of soldier's family other than spouse or children: the application should show the names and addresses of other members of the family. Proof that they cannot aid in the care of their family should be furnished.
5. Any other case related documents.
6. ERB
7. Commander's Request Form, FP Form 754

ERRONEOUS ENLISTMENTS, REENLISTMENTS, OR EXTENSIONS*

CHAPTER 7-15

INVOLUNTARY

LEAST Favorable Type of Discharge: Honorable
Order of release from custody and control of
the Army
Approval Authority: SPCMCA** (Regt or Bde)

DOCUMENTATION REQUIRED:

1. Correspondence containing the following information:
 - a. Facts relating to and circumstances surrounding the erroneous enlistment or extension
 - b. The desire of the soldier regarding retention or separation
 - c. Copy of reenlistment or extension paperwork
2. ERB
3. Commander's Request Form, FP Form 754; to initiate action to retain or discharge

*Erroneous if: It would not have occurred had the relevant facts been known by the Government or had appropriate directives been followed; and it was not the result of fraudulent conduct on the part of the soldier; and the defect is unchanged in material respects.

**1. If doubt exists whether an enlistment or extension was erroneous: the case will be forwarded to the Commander, USAEEA requesting such determination.

2. If it is determined that the enlistment or extension was erroneous: but retention is considered to be in the best interest of the service, and the disqualification is waivable at HQDA or nonwaivable: the case will be forwarded to the Commander, USAEEA.

**DEFECTIVE OR UNFULFILLED ENLISTMENT OR
REENLISTMENT AGREEMENTS*
CHAPTER 7-16**

VOLUNTARY

LEAST Favorable Type of Discharge: Honorable
Approval Authority: SPCMCA** (Regt or Bde)

DOCUMENTATION REQUIRED:

1. DA Form 4187 requesting separation: separation not authorized unless soldier has brought this to the attention of his/her commander within 30 days after the defect was discovered or reasonably should have been discovered by the soldier
2. Documentation that the soldier's enlistment commitment was either defective when made or cannot be fulfilled
3. Copy of enlistment/reenlistment paperwork
4. ERB
5. Commander's Request Form, FP Form 754

*A Defective enlistment agreement exists when the soldier was eligible for enlistment/reenlistment in the Army but did not meet the prerequisites for the option for which enlisted and the soldier did not knowingly take part in creation of the defective enlistment. Unfulfilled enlistment exists when the soldier received a written enlistment commitment from recruiting personnel for which the soldier was qualified, but which cannot be fulfilled by the Army and the soldier did not knowingly take part in the creation of the unfulfilled enlistment commitment.

FRAUDULENT ENTRY

CHAPTER 7-17

INVOLUNTARY

LEAST Favorable Type of Discharge: General
Approval Authority: SPCMCA (Regt or Bde)

LEAST Favorable Type of Discharge: Under
Other Than Honorable Conditions

OR

Retention in cases with waivable
disqualifications
Approval Authority: GCMCA

DOCUMENTATION REQUIRED:

1. Documentation substantiating fraudulent entry
2. ERB
3. Copy of enlistment/reenlistment paperwork
4. Commander's Request Form, FP Form 754; to initiate action to retain or discharge

SEPARATION OF ENLISTED WOMEN-PREGNANCY

CHAPTER 8

VOLUNTARY

LEAST Favorable Type of Discharge: Honorable
Approval Authority: SCMCA (Sqdn or Bn)

DOCUMENTATION REQUIRED:

1. DA Form 4187
2. Pregnancy Counseling Checklist and statement of counseling
3. Complete pregnancy physical
4. ERB
5. In circumstances of an abnormal pregnancy course, when a soldier carries a pregnancy for 16 weeks or more, but then has an abortion, miscarriage, or an immature or premature delivery before separation is accomplished, the soldier will have the option to be retained or separated. The following documents will be required for separation:
 - a. Medical officer's verification of duration of pregnancy
 - b. Soldier counseled concerning her options and soldier's signed decision statement*
6. Commander's Request Form, FP Form 754

*According to Transition Point, the 8-8f counseling and the resulting signed decision statement by the soldier must be completed within 30 days of the abortion, miscarriage, immature or premature delivery. (see para 6 above)

ALCOHOL OR OTHER DRUG ABUSE REHABILITATION FAILURE

CHAPTER 9

INVOLUNTARY

LEAST Favorable Type of Discharge: General
Approval Authority:

1. Soldier less than 6 years total service: SCMCA (Sqdn or Bn)
2. Soldier with 6 years or more total service: SPCMCA (Regt or Bde)

DOCUMENTATION REQUIRED:

1. Memo from the commander declaring the soldier an ADAPCP failure: this determination will be made in consultation with the rehabilitation team (see AR 600-85)
2. ADAPCP summary counseling
3. Medical examination
4. DA Form 2A & 2-1
5. Commander's Request Form, FP Form 754

ENTRY LEVEL STATUS PERFORMANCE AND CONDUCT*

CHAPTER 11

INVOLUNTARY

LEAST Favorable Type of Discharge: Uncharacterized
Approval Authority: SCMCA (Sqdn or Bn)

DOCUMENTATION REQUIRED:

1. 1-16 separation counseling
2. Documented incident after the 1-16 counseling and rehabilitative transfer**
3. Documentation that soldier had been rehabilitatively transferred
4. All case related documents
5. ERB
6. Commander's Request Form, FP Form 754

*Soldiers must have completed no more than 180 days of creditable continuous active duty. CALL THE LEGAL SERVICES CENTER IMMEDIATELY this chapter must be initiated prior to 180 days.

**In certain cases the rehabilitative transfer requirement may be waived. Call your Trial Counsel at 531-0233/1747 prior to making a recommendation to waive the rehabilitative transfer requirement.

SEPARATION FOR UNSATISFACTORY PERFORMANCE

CHAPTER 13

INVOLUNTARY

LEAST Favorable Type of Discharge: General
Approval Authority:

1. Soldier less than 6 years total service: SCMCA (Sqdn or Bn)
2. Soldier with 6 years or more total service: SPCMCA (Regt or Bde)

DOCUMENTATION REQUIRED:

1. 1-16 separation counseling
2. Documentation that soldier had been rehabilitatively transferred*
3. Documented incidents after the 1-16 counseling and rehabilitative transfer*
4. Any other case related documents
5. Medical examination
6. Mental status evaluation
7. ERB
8. Commander's Request Form, FP Form 754

NOTE: IAW Change 1 to AR 635-200 para 13-2f: Initiation of separation proceedings is required for soldiers without medical limitations who have two consecutive failures of the Army Physical Fitness Test per AR 350-41, or who are eliminated for cause from Noncommissioned Officer Education System courses, unless the responsible commander chooses to impose a bar to reenlistment per AR 601-280, chapter 6.

*The mandatory rehabilitation transfer provision applies only to first-term soldiers, however, it does not apply when the basis of the chapter is for two time APFT failures (the commander can provide a rehabilitative transfer, but doesn't have to). In certain instances exceptions to this policy exist, prior to making a recommendation to waive the rehabilitative transfer requirement, call your unit's Trial Counsel at 531-0233/1747.

CONVICTION BY CIVIL COURT*

CHAPTER 14-5

INVOLUNTARY

LEAST Favorable Type of Discharge: General
Approval Authority: SPCMCA (Regt or Bde)

LEAST Favorable Type of Discharge: Under
Other Than Honorable Conditions or Honorable
Approval Authority: GCMCA

DOCUMENTATION REQUIRED:

1. Copy of court paperwork
2. Is soldier appealing, if not then a statement from soldier indicating he/she does not intend to appeal-if we can not get this statement it will delay separation
3. ERB
4. Commander's Request Form, FP Form 754

*When soldier is convicted by civil authorities or when action is taken that is tantamount to a finding of guilty if one of the following conditions is present (per para 14-5a): A punitive discharge would be authorized for the same or a closely related offense under the MCM or the sentence by civil authorities includes confinement for 6 months or more, without regard to suspension or probation.

PATTERNS OF MISCONDUCT-CHAPTER 14-12b

INVOLUNTARY

**LEAST Favorable Type of Discharge: General
Approval Authority: SPCMCA (Regt or Bde)**

**LEAST Favorable Type of Discharge: Under
Other Than Honorable Conditions or Honorable
Approval Authority: GCMCA**

DOCUMENTATION REQUIRED:

1. 1-16 separation counseling
2. Documented incident after the 1-16 counseling
3. All case related documents
4. Medical examination
5. Mental status evaluation
6. ERB
7. Commander's Request Form, FP Form 754

COMMISSION OF A SERIOUS OFFENSE*

CHAPTER 14-12c

INVOLUNTARY

LEAST Favorable Type of Discharge: General
Approval Authority: SPCMCA (Regt or Bde)

LEAST Favorable Type of Discharge: Under
Other Than Honorable Conditions or Honorable
Approval Authority: GCMCA

DOCUMENTATION REQUIRED:

1. Documentation of the serious offense
2. All case related documents
3. Medical examination
4. Mental status evaluation
5. ERB
6. Commander's Request Form, FP Form 754

NOTE: Abuse of illegal drugs is serious misconduct.

First-time drug offenders, soldiers in the grade of sergeant and above, or all soldiers with 3 years or more of total military service (Active and Reserve), will be processed for separation upon discovery of a drug offense.

*Commission of a serious offense: if the specific circumstances of the offense warrant separation and a punitive discharge would be authorized for the same or a closely related offense under the MCM.

SEPARATION FOR HOMOSEXUAL CONDUCT

CHAPTER 15

INVOLUNTARY

LEAST Favorable Type of Discharge: General
Approval Authority: SPCMCA (Regt or Bde)

LEAST Favorable Type of Discharge: Under
Other Than Honorable Conditions or Honorable
Approval Authority: GCMCA

DOCUMENTATION REQUIRED:

1. All case related documents
2. Medical examination
3. Mental status evaluation
4. ERB
5. Commander's Request Form, FP Form 754

**VOLUNTARY SEPARATION OF SOLDIERS DENIED REENLISTMENT
DA Form 4991-R (Declination of Continued Service Statement (DCSS))
CHAPTER 16-5c**

VOLUNTARY

LEAST Favorable Type of Discharge: Honorable
Approval Authority: SCMCA (Sqdn or Bn)

DOCUMENTATION REQUIRED:

1. DA Form 4187
2. DA Form 4991-R (Declination of Continued Service Statement)
3. Any case related documents
4. Education Counseling, DA Form 669-1-R
5. ERB
6. Commander's Request Form, FP Form 754

FAILURE TO MEET BODY FAT STANDARDS

CHAPTER 18

INVOLUNTARY

LEAST Favorable Type of Discharge: Honorable
Approval Authority:

1. Soldier with less than 6 years total service: SCMCA (Sqdn or Bn)
2. Soldier with 6 years or more total service: SPCMCA (Regt or Bde)

DOCUMENTATION REQUIRED:

1. Body Fat Content Worksheets
2. Memorandum placing soldier on the Weight Control Program
3. Correspondence from physician stating soldier's condition is not due to a medical condition
4. Correspondence from health care personnel stating the soldier received nutrition counseling
5. Medical examination
6. ERB
7. Commander's Request Form, FP Form 754
8. Following removal from a weight control program, if it is determined that an individual exceeds the screening table weight and the body fat standard within 12 months then the following is needed:
 - a. Body fat worksheet(s) reflecting soldier has exceeded the standards
 - b. The memo which had originally entered soldier on the weight control program
 - c. Memorandum removing soldier from the weight control program
 - d. Memorandum reentering soldier on the weight control program
 - e. Correspondence from physician stating the soldier's condition is not due to a medical condition
 - f. Correspondence from health care personnel stating the soldier received nutrition counseling
 - g. Medical examination
 - h. ERB
 - i. Commander's Request Form, FP Form 754