

Texas Army National Guard

# INSTRUCTION

NUMBER 1332.02

NGTX-JHR

SUBJECT: Involuntary Enlisted Administrative Separations – Texas Army National Guard (TXARNG)

References. See enclosure A.

1. <u>PURPOSE.</u> Implement the requirement to expediently initiate, process and complete involuntary enlisted administrative separations within 90 days of the triggering event.

2. <u>APPLICABILITY AND SCOPE</u>. Effective 1 November 2020, this issuance applies to all units assigned to the Texas Army National Guard (TXARNG) and pertains to traditional guardsmen involuntary enlisted administrative separations.

#### 3. DEFINITIONS.

a. Administrative Separation Board. A board of officers composed and appointed, in accordance with Army Regulation (AR) 135-178, to conduct administrative separation board proceedings in order to involuntary separate Enlisted Soldiers from the TXARNG.

b. Respondent. A Soldier notified of an involuntary separation action.

c. Entry into the Integrated Disability Evaluation System (IDES) process. The DES begins for a Soldier issued a permanent profile approved in accordance with the provisions of AR 40–501 and the profile contains a numerical designator of P3/P4 in any of the serial profile factors for a condition that appears not to meet medical retention standards in accordance with AR 40–501.

d. Triggering Event. An event that provides the regulatory requirement or basis to initiate administrative separation. The triggering event for the following types of separation actions are as follows:

(1) Abuse of Illegal Drugs: The chain of command receives notification of illicit positive drug test results.

(2) Absent without Leave: Soldier becomes an unsatisfactory participant as defined in AR 135-91.

(3) Other Misconduct: Commander is notified that a Soldier has engaged in misconduct that qualifies for administrative separation under AR 135-178 Chapter 11, and is either required to initiate separation or recommends separation of the Soldier.

#### 4. <u>RESPONSIBILITY.</u>

#### a. Units/Commanders:

(1) Commanders will ensure that all separation actions are initiated, and all required documents are provided or mailed to the Soldier within 15 days of the triggering event or by the following drill period, whichever occurs first.

(2) All administrative separation actions are subject to the reporting requirements of TMDI 5145.01.

(3) TXARNG units will utilize the newly implemented involuntary administrative separation templates and checklists. Adding to, removing, or altering the templates, checklists, or process is prohibited.

(4) Submit involuntary enlisted administrative separation packets, IAW the applicable required checklist, Enclosure B, to their respective Battalion S-1.

(5) Ensure applicable checklist is the first page of all involuntary enlisted administrative separation packets and checklist entries are legible.

(6) Validate whether or not Soldier is currently entered into the Integrated Disability Evaluation System (IDES) process - (Medical Evaluation Board (MEB/PEB).

(7) Command representatives shall make reasonable effort to provide the Notification of Separation to the Soldier in person. If in person notification is possible, obtain a written acknowledgment. If in person notification is not possible or the Soldier refuses to acknowledge receipt, send the notice with supporting documentation to the Soldier's last known address by certified mail, return receipt requested.

(8) Prepare an Affidavit of Service by Mail IAW AR 135-178 (see fig 1–1). Insert the affidavit into the separation packet with a copy of the United States Postal Service certified mail form (PS Form 3800).

(9) Upon receipt of the signed election of rights, or after the 30 day response period has elapsed, transfer the action to the Brigade Legal Section for a legal sufficiency review.

#### b. Brigade Legal Sections:

(1) The Brigade Legal Section will conduct legal sufficiency reviews for separation actions, received from their respective Companies, by the expiration of the first drill period after receiving the package.

(2) Written legal sufficiency reviews will contain, at a minimum, whether the requirements of an Other Than Honorable (OTH) characterization, procedural, and substantive requirements are met. If the Legal Section determines the package legally insufficient, return the packet with recommendations.

(3) When the packet is determined legally sufficient, the Legal Section notes the same on the applicable checklist and reassigns the action to the Battalion S1.

(4) Each drill period, Legal Sections are required complete any administrative discharge actions pending legal review.

#### c. Battalion Commanders / Battalion S1:

(1) Commanders will ensure that subordinate units initiate and process separation actions to the Brigade S1 within 15 days of receipt or by the following drill period, whichever occurs first.

(2) All administrative separation actions are subject to the reporting requirements of TMDI 5145.01.

(3) Ensure all required documents are reviewed and attached IAW the applicable checklist.

(4) Ensure Battalion commander's signature is affixed on all applicable documents.

(5) Ensure delegation memo from Battalion commander is included if commander's signature is not affixed.

(6) Reassign submitted packet to the Brigade S1 or point of contact.

d. Brigade Commander / Brigade S1:

(1) Commanders will ensure that subordinate units timely initiate separation actions according to this Instruction.

(2) Brigade S1 will review submitted packet for accuracy and completeness and ensure that actions are processed and routed to MACOM within 15 days of receipt or by the first drill period, whichever occurs first.

(3) All administrative separation actions are subject to the reporting requirements of TMDI 5145.01.

(4) Brigade S1 ensure Brigade commander's signature is affixed on all applicable documents or initialed the THRU line on the recommendation memorandum.

(5) Brigade S1 reassign separation packet to MACOM.

(6) Brigade S1 monitor all Brigade separation actions until final disposition.

e. Major Command (MACOM) Commander / MACOM G1:

(1) Commanders will ensure that subordinate units timely initiate separation actions according to this Instruction.

(2) All administrative separation actions are subject to the reporting requirements of TMDI 5145.01.

(3) MACOM G1 ensure the MACOM commander's signature is affixed on all applicable documents or endorsed or initialed recommendation memorandum.

(4) MACOM G1 Complete the accompanying checklist, and forward to NGTX-AH section within 15 days.

TMDI 1332.02

#### f. <u>NGTX-AHE</u>:

(1) Conduct final review and reassign the separation packet to the Office of the General Counsel (OGC).

(2) Issue a FRAGO tasking TXARNG MACOMS to provide officers for appointment to the standing involuntary administrative separations board.

(3) Issue MILPO Orders, upload completed actions into iPERMS, and completes SIDPERS transactions for separated Soldiers.

(4) Maintain administrative separation board actions for five (5) years in accordance with Army records management regulations.

#### g. <u>NGTX-GC</u>:

(1) Process non-board eligible packets for separation through the Adjutant General or designee.

(2) Coordinate involuntary administrative separation boards quarterly or as directed by the Adjutant General.

(3) Ensure board-eligible packets are processed and scheduled for an administrative separation board.

(4) Ensure finalized proceedings are forwarded to TXARNG J1 for final disposition.

#### 6. INFORMATION REQUIREMENTS. n/a

#### 7. RELEASABILITY UNLIMITED.

8. <u>EFFECTIVE DATE.</u> This instruction is effective 1 November 2020 and will expire 2 years from the effective date unless otherwise rescinded or superseded.

9. <u>POINT OF CONTACT.</u> LTC Sam Speedy, J1, TXARNG at 512-782-5641 or patrick.s.speedy2.mil@mail.mil.

ORRIS

Major General, TXARNG Adjutant General

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Enclosures: A A -- References B -- Administrative Separation Checklists

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#### ENCLOSURE A

#### REFERENCES

- 1. AR 15-6, Procedures for Investigating Officers and Boards of Officers
- 2. AR 27–3, The Army Legal Assistance Program
- 3. AR 27–10, Military Justice
- 4. AR 40–501, Standards of Medical Fitness

5. AR 135–9, Service Obligations, Methods of Fulfillment, Participation Requirements, and Enforcement Procedures

- 6. AR 380-67, Personnel Security Program
- 7. AR 600–8–2, Suspension of Favorable Personnel Actions (Flag)
- 8. AR 600-8-19, Enlisted Promotions and Reductions
- 9. AR 600–9, The Army Body Composition Program
- 10. AR 600–20, Army Command Policy
- 11. AR 600–85, The Army Substance Abuse Program

#### ENCLOSURE B

#### ADMINISTRATIVE SEPARATION CHECKLISTS

- 1. Drug Use/Abuse Discharge Checklist
- 2. IDT Absent Without Leave (AWOL) Checklist
- 3. Annual Training (AT) Absent With Out Leave (AWOL) Checklist
- 4. Civil Conviction Discharge Checklist
- 5. Commission of Serious Offense Checklist
- 6. Army Physical Fitness Test (APFT) Failure Checklist
- 7. Army Weight Control Program (AWCP) Discharge Checklist



#### ENLISTED ADMINISTRATIVE SEPARATIONS Drug Use/Abuse Discharge Checklist (References: AR 135-178 & NGR 600-200)

## Checklist must be submitted with Packet

SM Name & Rank		ETS / Years of Ser	vice –	<b>→</b>	
Unit / BDE		Date Action Initiate	d _	<b>→</b>	
POC / Phone #		Date Commander I	Notified –	<b>→</b>	
		Date MRO Notified * Prescription Drug Us		→	
		Date BDE JAG Not	tified –	→	
[] <u>UNIT Responsib</u> [] Notification c		Was action initiated w 15 days or by first drill of Commander being r	period	YES	NO
Soldier SexuProof of IllicitProof of comDA Form 485DA Form 268Enlisted RecCommanderAffidavit of SValidate whe	al Assault Memo Positive pleted Mental Health Examinatio 56 - Developmental Counseling F 8 & complete IPPS-A transaction ord Brief (ERB) s Report & Recommendation me ervice by Mail & Certified Mail Re ther or not Soldier is currently en	orm emo (THRU BN, BDE, MA eceipt (if SM not present f tered in Integrated Disabi	or signatur		DES)
	ments to J1 Personnel Action Tra				
	EPARATION OR SOONER IF Y				
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[] BATTALION Res	nonsibilitios		Unit PO	C Print / Date / Sig	gn
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[] OGC Responsit	<u>pilities</u> Authority Memo	Select One	Board	No Board	

OPR for Checklist (NGTX-AH) (Current as of 1 November 2020)



# **ENLISTED ADMINISTRATIVE SEPARATIONS** IDT Absent Without Leave (AWOL) Checklist (References: AR 135-178 & NGR 600-200)

SM Name & Rank		ETS / Years of Ser	vice		
Unit / BDE		Date Action Initiate	ed		
POC / Phone #		Date SM became Unsatisfactory Partie	cipant _		
[ ] Soldier Sexu [ ] AWOL Letter [ ] AWOL Letter [ ] DA Form 268 [ ] Notice of SG [ ] Enlisted Rec [ ] Commander' [ ] Affidavit of So [ ] Validate whe [ ] Upload docu BEFORE ROU NOTICE OF [ ] After receipt Brigade Le	f Separation ights (signed by the SM) al Assault Memo 1 and Certified Mail Receipt 2-3 and Affidavit of Service by Mail & complete IPPS-A transaction LI Termination ord Brief (ERB) s Report & Recommendation memo ervice by Mail & Certified Mail Receip ther or not Soldier is currently entere ments to J1 Personnel Action Tracke <b>TING PACKAGE TO BATTALION</b> <b>5 SEPARATION OR SOONER IF</b> t of election of rights, or after 30 day gal Section to obtain legal suffici	ot (if SM not present for d in Integrated Disabili r. <b>N, WAIT 30 DAYS F</b> <b>YOU RECEIVE SIG</b> ys have elapsed <b>Unit</b> <b>ency review.</b>	drill perio an icipant? COM) r signatu ity Evalua <b>ROM DA</b> iNED EL	ves ation System (IDI ATE SOLDIER LECTION OF R	RECEIVES
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[] OGC Responsib		Select One	Board	No Board	



### **ENLISTED ADMINISTRATIVE SEPARATIONS**

Annual Training (AT) Absent With Out Leave (AWOL) Checklist (References: AR 135-178 & NGR 600-200)

SM Name & Rank		ETS / Years of Service	
Unit / BDE		Date Action Initiated	
POC / Phone#		Date of AT AWOL	
[ ] Soldier Sexu [ ] Annual Train [ ] Other Eviden [ ] DA Form 268 [ ] Notice of SG [ ] Enlisted Rec [ ] Commander' [ ] Affidavit of So [ ] Validate whe	of Separation ights (signed by the SM) al Assault Memo ing orders nee of AWOL (if any, i.e. counseling, s & & complete IPPS-A transaction	(THRU BN, BDE, MACOM) ot (if SM not present for sign d in Integrated Disability Eva	eriod YES NO
BEFORE ROU	TING PACKAGE TO BATTALIOI F SEPARATION OR SOONER IF	N, WAIT 30 DAYS FROM	
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[] BRIGADE Resp	onsibilities		
[] Brigade Com • Date received • Was action r [] BDE S1 affirr	Imander concur/non-concur Initials T d from subordinate unit: route to MACOM within 15 days of re ms the package contains above conte s action to MACOM	/ Date routed to MACC ceipt or by first drill period? ents	DM:
[] MACOM Respon [] MACOM Cor	nsibilities nmander concur/non-concur Initials ⊺		-
[] OGC Responsib		Select One	



# ENLISTED ADMINISTRATIVE SEPARATIONS

Civil Conviction Discharge Checklist (References: AR 135-178 & NGR 600-200)

(References: AR 135-178 & NGR 600-200) Checklist must be submitted with Packet

SM Name & Rank		ETS / Years of Serv	vice
Unit / BDE		Date Action Initiated	d
POC / Phone#		Date Commander Notified of Convictio	n
<ul> <li>Soldier Sexu</li> <li>Court Docum</li> <li>Proof of com</li> <li>DA Form 268</li> <li>Enlisted Recommendation</li> <li>Commander'</li> <li>Affidavit of Security</li> <li>Validate whe</li> <li>Upload documentation</li> <li>BEFORE ROU</li> </ul>	f Separation ights (signed by the SM) al Assault Memo nents with Final Disposition of Case pleted Mental Health Examination 3 & complete IPPS-A transaction	ot (if SM not present for d in Integrated Disability r. <b>N, WAIT 30 DAYS FR</b>	Irill period
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	Is packet Legally Suffic	ient? []Yes / []No	
	firms the package contains above or solutions of the section to BN	contents	BJA Print / Date / Sign
			Unit POC Print / Date / Sign
	sponsionities ommander concur/non-concur Initia ed from subordinate unit:		
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[] MACOM Respor	nsibilities Inmander concur/non-concur Initial	s THRU on recommer	BDE S1 Print / Date / Sign
[] OGC Responsib		Г	Board No Board



## ENLISTED ADMINISTRATIVE SEPARATIONS

Commission of Serious Offense Checklist (References: AR 135-178 & NGR 600-200)

SM Name & Rank		ETS / Years of Serv	vice
Unit / BDE		Date Action Initiated	d
POC / Phone #		Date Commander Notified of Offense	
[] Soldier Sexu         [] Police Repor         [] Proof of com         [] DA Form 268         [] Enlisted Rec         [] Commander         [] Affidavit of S         [] Validate whe         [] Upload docu	of Separation ights (signed by the SM) al Assault Memo t/any supporting evidence of serious pleted Mental Health Examination 3 & complete IPPS-A transaction ord Brief (ERB) 2's Report & Recommendation memo ervice by Mail & Certified Mail Receip ther or not Soldier is currently entere ments to J1 Personnel Action Tracke TING PACKAGE TO BATTALIOI	(THRU BN, BDE, MAC ot (if SM not present fo d in Integrated Disabilit r. <b>N, WAIT 30 DAYS Ff</b>	OM) r signature) y Evaluation System (IDES)
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			Unit POC Print / Date / Sign
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[] OGC Responsite [] Separation	<u>bilities</u> Authority Memo	Select One	Board No Board



#### ENLISTED ADMINISTRATIVE SEPARATIONS Army Physical Fitness Test (APFT) Failure Checklist (References: AR 135-178 & NGR 600-200)

SM Name & Rank		ETS / Years of Servio	ce	
Unit / BDE		Date Action Initiated		
POC / Phone#		Date Commander Not 2nd APFT Failure	ified	
Image: Pressure and the experimental ex				
[] Brigade Lega	al Section to obtain legal sufficien al Section Initial Legal Sufficiency Rev s SM Have 6+ Years of Military Servio	view	[]Yes / []No	
	Is packet Legally Suffic	<b>ient?</b> [ ] Yes / [ ] No _	BJA Print / Date / Sign	
	irms the package contains above cor action to BN	itents –	Unit POC Print / Date / Sign	
<ul> <li>Date receive</li> <li>Was action i</li> <li>[] BN S1 affirm</li> </ul>	sponsibilities mmander concur/non-concur Initials T ed from subordinate unit: route to BDE within 15 days of receip s the package contains above conter s action to BDE	/ Date routed to BD to route to BD to route the provide the provided the pro	on memo )E: []Yes / []No	
<ul> <li>Date receive</li> <li>Was action</li> <li>[] BDE S1 affiri</li> </ul>	mander concur/non-concur Initials T	/ Date routed to MA ceipt or by first drill period	ACOM:	
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[ ] <u>OGC Responsib</u> [ ] Separation A	bilities		oard No Board	



#### ENLISTED ADMINISTRATIVE SEPARATIONS Army Weight Control Program (AWCP) Discharge Checklist (References: AR 135-178 & NGR 600-200)

1011					
SM Name & Rank		ETS / Years of Ser	rvice		
Unit / BDE		Date Action Initiate	ed		
POC / Phone #		Date Commander N AWCP Failure	lotified		
[] UNIT Responsibilities       Was action initiated within 15 days or by first drill period of Commander being notified?       Image: Commander Stress of Com					
<ul> <li>NOTICE OF SEPARATION OR SOONER IF YOU RECEIVE SIGNED ELECTION OF RIGHTS.</li> <li>[] After receipt of election of rights, or after 30 days have elapsed Unit POC transfers action to Brigade Legal Section to obtain legal sufficiency review.</li> <li>[] Brigade Legal Section Initial Legal Sufficiency Review</li> <li>• Does SM Have 6+ Years of Military Service?</li> <li>[] Yes / [] No</li> </ul>					
	Is packet Legally Suffic	ient? []Yes / []No	0		
	irms the package contains above cor s action to BN		BJA Print / Date / Sign Unit POC Print / Date / Sign		
<ul> <li>Date receive</li> <li>Was action</li> <li>[] BN S1 affirm</li> </ul>	<b>sponsibilities</b> mmander concur/non-concur Initials T ed from subordinate unit: route to BDE within 15 days of receip is the package contains above conter is action to BDE	/ Date routed to t or by first drill period	ation memo BDE:		
[] BRIGADE Resp	<u>onsibilities</u>				
<ul> <li>[] Brigade Commander concur/non-concur Initials THRU on recommendation memo</li> <li>Date received from subordinate unit: / Date routed to MACOM:</li> <li>Was action route to MACOM within 15 days of receipt or by first drill period? [] Yes / [] No</li> <li>[] BDE S1 affirms the package contains above contents and transfers action to MACOM</li> </ul>					
[] MACOM Responsibilities					
	ommander concur/non-concur Initial	s THRU on recomme	endation memo		
[] <u>OGC Responsik</u> [] Separation	<u>pilities</u> Authority Memo	Select One	Board No Board		