



**DEPARTMENT OF THE ARMY
MANEUVER SUPPORT CENTER OF EXCELLENCE
14000 MSCOE LOOP, SUITE 316
FORT LEONARD WOOD MO 65473**

05 JAN 2026

ATZT-CS (351)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Memorandum of Instruction for Student Dismissal Procedure at MSCOE Schools

1. References.

- a. Manual for Courts-Martial United States (2024 Edition) (2024 MCM).
- b. Army Regulation (AR) 350-1, Army Training and Leader Development, 1 June 2025.
- c. TRADOC Regulation (TR) 350-18, The Army School System, 1 May 2018.

2. Purpose. To establish uniform policies and procedures to determine if students should be dismissed from schools at the Maneuver Support Center of Excellence (MSCOE) without counseling and an opportunity to improve, to protect students from unfair practices.

3. Applicability. This Memorandum of Instruction (MOI) applies to all MSCOE schools, including the U.S. Army Military Police School (USAMPS), U.S. Army Engineer School (USAES), U.S. Army Chemical, Biological, Radiological, Nuclear School (USACBRNS), and the MSCOE Noncommissioned Officers Academy (NCOA).

4. Background.

a. AR 350-1, Paragraph 3-7d, states that "students being considered for dismissal must have been counseled . . . with an opportunity to correct deficiencies, prior to consideration for dismissal."

b. The regulation does not mention any exceptions to this requirement for counseling and rehabilitation before dismissal. However, it is implied by the need to avoid absurd results¹ that certain serious misconduct should warrant immediate dismissal from the course without counseling and an opportunity to improve.

¹ Under the legal interpretation doctrine of avoiding absurdity, a provision of law or regulation may be disregarded if failing to do so would result in a disposition that no reasonable person could approve. For instance, if a student in a MSCOE course was to commit murder, it would be absurd to require a counseling and opportunity to improve before dismissing them from the course.

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5. Policy. At MSCOE schools, the counseling-and-rehabilitation requirement may be set aside, and a student may be dismissed from a course without being counseled and given an opportunity to correct deficiencies, only if they have committed any of the following infractions:

a. Civilian (state or federal) criminal misconduct for which the most closely related UCMJ offense² would fall under subparagraph (b) below.

b. Absence without leave of any duration (Article 86) and all other UCMJ misconduct for which a punitive discharge may be adjudged under Appendix 12 of the 2024 MCM, except the following (for these, the counseling-and-rehabilitation requirement may not be set aside):

(1) Missing movement by neglect (Article 87);

(2) Disrespect toward a superior commissioned officer (Article 89);

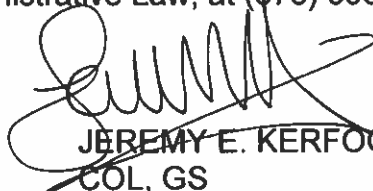
(3) Contempt or disrespect toward warrant or noncommissioned officer (Article 91);

(4) Violation of or failure to obey general order or regulation or other lawful order (Article 92);

(5) Violations of Article 133 that do not warrant involuntary elimination from the United States Army; and

c. Cases of intentional academic dishonesty and intentional plagiarism. Importantly, some instances of plagiarism are not the product of intentional actions but of ignorance or carelessness; in those cases, a commandant or other designated course representative must follow the regulation's requirement and may not dismiss the student without counseling and an opportunity to improve and should consider informal corrective measures rather than formal administrative measures.

6. Proponent. The Office of the Staff Judge Advocate is the proponent of this policy. The point of contact is the Chief, Administrative Law, at (573) 596-2118.


JEREMY E. KERFOOT
COL, GS
Chief of Staff

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(see next page)

² For the purposes of this policy, Article 92 is the most closely related UCMJ offense for traffic offenses which are not otherwise punishable under the UCMJ.

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Schools

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