

# Notice of Federal Student Financial Aid Penalties for Drug Law Violations

## Suspension of Eligibility for Drug Convictions

As prescribed in section 484(r) of the Higher Education Act, a student who, during a period of enrollment for which the student was receiving any Federal grant, loan, or work assistance, is convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any additional grant, loan, or work assistance from the date of that conviction for the period of time specified in the following table:

## Period of Ineligibility for Title IV Federal Aid

### Sale Of Illegal Drugs Possession of Illegal Drugs

1st Offense 1 year from date of conviction 2 years from date of conviction

2<sup>nd</sup> Offense 2 years from date of conviction Indefinite Period

3+ Offenses Indefinite Period

(A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

For individuals convicted of both possession and sale of illegal drugs, the overlapping periods of ineligibility will run concurrently, resulting in the longer period of ineligibility prevailing. Only convictions for an offense occurring during a period of enrollment for which the student was receiving Federal aid will impact eligibility. Convictions that are reversed, set aside, or removed from the student's record will not impact eligibility, nor will convictions occurring when the student was a juvenile, unless tried as an adult.

**A written notice will be provided to each student who has lost eligibility for Title IV Federal financial aid funds due to a drug conviction and will include the methods by which a student can regain eligibility.**

## Student Responsibilities if Convicted During Period of Enrollment

According to the US Department of Education,

If a student is convicted of a drug offense **after** receiving Federal aid, they must notify the Office of Financial Aid immediately.

That student will

- Be immediately ineligible for further aid and will be required to pay back all aid received after the loss of eligibility.
- Be required to self-certify their eligibility for Federal aid with regard to drug convictions on the FAFSA.

If a student has been convicted of a drug offense while applying to receive Title IV Federal financial aid, they are required to report the conviction on item number 23 of the FAFSA.

For additional information on this requirement call a Federal representative at 1-800-433-3243.

## Regaining Eligibility

A student regains eligibility the day after the period of ineligibility ends, the date their conviction is overturned, or the date they complete a qualified drug rehabilitation program, whichever occurs first.

A student whose eligibility has been suspended indefinitely may only regain it by successfully completing a qualified drug rehabilitation program.

A qualified drug rehabilitation program must include at least two unannounced drug tests and satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a Federal, State, or local government program
- Be qualified to receive payment directly or indirectly from a Federally- or State-licensed insurance company
- Be administered or recognized by a Federal, State, or local government agency or court
- Be administered or recognized by a Federally- or State-licensed hospital, health clinic, or medical Doctor

**It is the student's responsibility to certify to the Office of Financial Aid that they have successfully completed a rehabilitation program.**