

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

### **Drug Law Violations**

The Higher Education Act of 1965, as amended, states that a federal or state drug conviction can disqualify a student for Federal Student Aid funding (grants, loans, and/or work study). The student self-certifies in applying for aid (when completing the Free Application for Federal Student Aid, FAFSA) that he/she is eligible.

Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Federal Student Aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside or removed from the student's record does not count, nor does one received when he/she was a juvenile, unless he/she was tried as an adult.

If you are convicted of a drug offense after you submit the FAFSA, you will lose eligibility for federal student aid and you may be liable for returning any funds received during the period of ineligibility.

The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

|             | <b>Possession of Illegal Drugs</b> | <b>Sale of Illegal Drugs</b>    |
|-------------|------------------------------------|---------------------------------|
| 1st Offense | 1 year from date of conviction     | 2 years from date of conviction |
| 2nd Offense | 2 years from date of conviction    | Indefinite period               |
| 3+ Offenses | Indefinite Period                  |                                 |

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

### **Regaining Eligibility**

A student regains eligibility the day after the period of ineligibility ends or when he/she successfully completes a qualified drug rehabilitation program or passes two unannounced drug tests given by such a program. Further drug convictions will make the student ineligible again.

Students denied eligibility for an indefinite period can regain it after successfully completing a rehabilitation program which meets the criteria established by the U.S Department of Education, passing two unannounced drug tests from such a program, or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility.

For specific questions related to your eligibility status, we ask that you contact the Federal Student Aid Information Center at 1-800-433-3243.

This information is also provided in the Gaslight Student Handbook.