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Federal Student Financial Aid Regulations Penalties for Drug Law Violations

Suspension of Eligibility for Drug Convictions

As required under Section 484(r) of the Higher Education Act, any student who, while enrolled and receiving Federal grant, loan, or work-study assistance, is convicted under Federal or State law of an offense involving the possession or sale of a controlled substance becomes ineligible to receive any further Federal grant, loan, or work assistance. This ineligibility takes effect on the date of the conviction and continues for the period specified in the table below.

Ineligibility for Title IV Federal Aid for Drug Convictions

# of Offenses	Possession of Illegal Drugs	Sale of Illegal Drugs
1 st Offense	1 year from date of conviction	2 years from date of conviction
2 nd Offense	2 years from date of conviction	Indefinite period
3+ Offenses	Indefinite period	Indefinite period

For individuals convicted of both possession and sale of illegal drugs, periods of ineligibility will run concurrently, and the longer applicable period of ineligibility will apply. Only convictions resulting from offenses committed during a period of enrollment in which the student was receiving Federal aid will affect eligibility. Convictions that are reversed, set aside, or expunged from the student's record will not affect eligibility, nor will convictions that occurred while the student was a juvenile, unless the student was tried as an adult.

Written notice will be provided to any student who loses eligibility for Title IV Federal financial aid due to a drug conviction. This notice will include information regarding the steps available to the student to regain eligibility.

Student Responsibilities in the Event of a Conviction During Enrollment Reinstatement of Eligibility

According to the U.S. Department of Education, a student who is convicted of a drug offense after receiving Federal financial aid must immediately notify the Financial Aid Department.

In such cases, the student will:

- Become immediately ineligible for any additional Federal financial aid and be required to repay all aid received after the loss of eligibility.
- Be required to self-certify eligibility for Federal financial aid related to drug convictions on the FAFSA.

A student who has been convicted of a drug offense while applying for Title IV Federal financial aid must report the conviction on Item 23 of the FAFSA.

For additional information regarding this requirement, students may contact a Federal representative at 1-800-433-3243.

A student regains eligibility on the day following the end of the ineligibility period, the date the conviction is overturned, or the date the student completes a qualified drug rehabilitation program, whichever occurs first.

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

A qualified drug rehabilitation program must include a minimum of two unannounced drug tests and must meet at least one of the following criteria:

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

It is the student's responsibility to certify to the Financial Aid Department that the rehabilitation program has been successfully completed.