

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

### Suspension of Eligibility for Drug Convictions

As described in section 484(r) of the Higher Education Act, a student who, during a period of enrollment for which the student was receiving federal student aid, is convicted of any offense under any Federal or State law involving the possession or sales of a controlled substance shall not be eligible to receive any additional federal financial aid from the date of that conviction for the period of time specified in the following chart:

	Possession of Illegal Drugs	Sale of Illegal Drugs
1 <sup>st</sup> 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.)

If a student is convicted of both possessing and selling illegal drugs, and periods of ineligibility are different, the student will be ineligible for the longer period. Written notification will be provided to each student who becomes ineligible for Title IV Federal Financial Aid funds due to a drug conviction regarding the loss of eligibility and will include the methods by which the student can again become eligible.

If a student is convicted of a drug offense after receiving federal aid, the student must notify the Financial Aid Office immediately. That student will cease to be eligible for further financial aid and will be required to self-certify their eligibility for federal aid with regard to drug convictions by answering item number 23 on the FAFSA.

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

Eligibility can be regained after completing any of the 3 following options:

1. Successfully completing a rehabilitation program (described below, which includes passing two unannounced drug tests from such a program);
2. Having the conviction 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; or
3. Successfully completing two unannounced drug tests which are part of a rehab program (the student does not need to complete the rest of the program).

In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify that the rehabilitation program has been completed. When a student regains eligibility, Pell Grant, TEACH Grant and Campus-Based aid can then be awarded for the current payment period and Direct Loans for the period of enrollment.

### **Standards for 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.

If there is reason to believe the program does not satisfy the requirements, financial aid funds cannot be disbursed until confirmation is received that the program meets the requirements.