

Federal Student Aid Penalties For Drug Convictions

Students Convicted Of The Possession Or Sale Of Drugs

A federal or state drug conviction can disqualify a student for Federal Student Aid (FSA) funds. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV 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 the student was a juvenile (unless the student was tried as an adult).

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

	Possession Of Illegal Drugs	Sale Of Illegal Drugs
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	Indefinite Period

If a 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.

Schools must provide each student who becomes ineligible for Title IV aid due to a drug conviction a clear and conspicuous written notice of the loss of eligibility and the methods whereby the student can become eligible again.

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

Students denied eligibility for an indefinite period can only regain it after successfully completing a rehabilitation program (as described below), passing two unannounced drug tests from such a program or by having a 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. 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 to the school that he or she has successfully completed a rehabilitation program.

When a student regains eligibility during an award year, a school may award Pell and campus-based aid 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 must 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.