



Federal Student Financial Aid Penalties for Drug Violations

Federal law provides that a student who has been convicted of an offense under any federal or state law involving the possession or sale of a controlled substance during a period of enrollment for which the student was receiving financial aid shall not be eligible to receive any federal or institutional grants, loans, or work assistance during the period beginning on the date of such conviction and ending after the interval period.

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.

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 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.

A student regains eligibility the day after the period of ineligibility ends or when he successfully completes a qualified drug rehabilitation program.

Further drug convictions will make him ineligible again. It is the student's responsibility to certify to that s/he has successfully completed the rehabilitation program.

Regaining Eligibility

A student regains eligibility the day after the period of ineligibility ends or when the student successfully completes a qualified drug rehabilitation program. Further drug convictions will make the student ineligible again.

A student whose Title IV eligibility has been suspended indefinitely may regain eligibility only by successfully completing a drug rehabilitation program. A student who is under a one or two year penalty may regain eligibility before the expiration of the period of ineligibility by successfully completing a drug rehabilitation program. If the student successfully completes an approved drug rehabilitation program, eligibility is regained on the date the student successfully completes the program. It is the student's responsibility to certify to the school that he/ she has successfully completed the rehabilitation program.

To qualify the student for eligibility, the drug rehabilitation program must include at least two unannounced drug tests, and:

- have received or be qualified to receive funds directly or indirectly under a Federal, State, or local government program; or
- be administered or recognized by a Federal, State, or local government agency or court; or
- have received or be qualified to receive payment directly or indirectly from a Federally- or State-licensed insurance company; or
- be administered or recognized by a Federally- or State-licensed hospital, health clinic or medical doctor.