

Federal Student Financial Aid Penalties for Drug Law Violations

A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive federal student aid (grant, loan or work assistance) during the period beginning on the date of such conviction and ending after the interval specified in the following table:

If convicted of an offense involving:		
THE POSSESSION OF A CONTROLLED SUBSTANCE:		
Ineligibility period is:	First Offense	1 year
	Second Offense	2 years
	Third Offense	Indefinite
THE SALE OF A CONTROLLED SUBSTANCE:		
Ineligibility period is:	First Offense	2 years
	Second Offense	Indefinite

If the student is convicted of 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 he successfully completes a qualified drug rehabilitation program. Further drug convictions will make the student ineligible again.

Students denied eligibility for an indefinite period can regain it only after successfully completing a rehabilitation program as described below or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale and 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 that he/she has successfully completed the rehabilitation program.

Standards for a Qualifying 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