Drug-related Convictions and Student Ineligibility

Regulation effective July 1, 2000: Students who have been convicted under federal or state law for possession or sale of a controlled substance will be suspended from Title IV [financial aid] eligibility, regardless of when the conviction occurred.

If a student is convicted of an offense involving the possession of an illegal substance, the ineligibility period is:

* First Offense = 1 year from date of conviction
* Second Offense = 2 years from date of conviction
* Third Offense = Indefinite period

If the student is convicted of an offense involving the sale of an illegal substance, the ineligibility period is:

* First Offense = 2 years from date of conviction
* Second Offense = Indefinite period

A student may regain eligibility by successfully completing a drug rehabilitation program that complies with criteria established by the U.S. Department of Education.
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.

The period of ineligibility begins as of the date of the conviction. A conviction is defined as a conviction that is on a student’s record at the time the student’s eligibility is being determined. A conviction that was reversed, set aside, or removed from the student’s record is not relevant.

An illegal drug is a controlled substance as defined by section 102(6) of the Controlled Substances Act [21 U.S.C. 801(6)] and does not include alcohol or tobacco. Students may obtain additional information on eligibility by contacting the U.S. Department of Education at 1-800-433-3243 or go to http://www.fafsa.ed.gov.