

Drug Violations Penalties and Financial Aid Eligibility

Under Section 485 and 484r of the Higher Education Act, students become ineligible for federal student aid upon conviction during any period of enrollment of any offense involving the possession or sale of illegal drugs. Federal aid includes Federal Pell Grants, Federal Work Study, Federal Supplemental Educational Opportunity Grants, Federal ACG Grants, Federal Direct Loans, Federal Direct PLUS Loans, Federal Direct Graduate PLUS Loans, Federal SMART Grants, Federal TEACH Grants and Perkins Loans.

Penalties for Drug Convictions

Ineligibility Period for Possession of Illegal Drugs (controlled substance):

- First offense: 1 year from the date of conviction
- Second offense: 2 years from the date of conviction
- Third offense: Indefinite ineligibility from the date of conviction

Ineligibility Period for Sale of Illegal Drugs (controlled substance):

- First offense: 2 years from date of conviction
- Second offence: Indefinite ineligibility from the date of conviction

How to Regain Eligibility

If a student successfully completes a drug rehabilitation program, he or she can regain eligibility for federal student aid funds as of the day the student successfully completes the program.

To be sufficient to reinstate financial aid eligibility, the program must:

- Include at least 2 unannounced drug tests AND
- be recognized as a Federal, State, or local government agency program

Free Application for Federal Student Aid (FAFSA)

The FAFSA asks if the student has ever been convicted of a drug related offense. Failure to answer the question will automatically disqualify the student from receiving Federal Aid. Answering this question falsely, if discovered, could result in fines up to \$20,000, imprisonment, or both.