

STUDENTS CONVICTED OF POSSESSION OR SALE OF DRUGS

A federal or state drug conviction can disqualify a student for Federal Student Aid funds. Convictions only count against a student for aid eligibility purposes (FAFSA question 23c) if they were for an offense that occurred during a period of enrollment for which the student was receiving federal student aid—they do not count if the offense was not during such a period, unless the student was denied federal benefits for drug trafficking by a federal or state judge. Also, a conviction that was reversed, set aside, or removed for the student's record does not count, nor does one received when he/she was a juvenile, unless he/she was tried as an adult.

The chart below illustrates the period of ineligibility for Federal Student Aid funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses.

	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	

Regaining Eligibility

A student regains eligibility the day after the period of ineligibility ends or when he/she successfully completes a qualified drug rehabilitation program that includes passing two unannounced drug test given by such a program. Drug rehabilitation programs must satisfy at least one of the following:

- 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.

Students denied eligibility for an indefinite period can regain it, either after successfully completing a rehabilitation program or if a conviction is 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. Further drug convictions will make him/her ineligible