



Effective August 8, 2008 and upon enrollment, each student receives from the College, this separate, clear and conspicuous written notice that advises of the penalties for drug violations according to the Higher Education Opportunity Act.

The College also provides this notice to each student who has lost eligibility for any grant, loan or work study assistance to inform the student of the ways to regain eligibility. The rules are as follows:

A federal or state drug conviction can disqualify a student for Federal Student Aid (FSA) funds. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid – they do not count if the offense was not during such a period. Also a conviction that was reversed, set aside, or removed from the student’s record does not count, nor does one received when the student was a juvenile, unless the student was tried as an adult.

The chart below illustrates the period of ineligibility for Federal Student Aid (FSA) funds, depending on whether the conviction was for sale or possession and whether the student has previous offenses. Note that a conviction for sale of drugs includes convictions for conspiring to sell drugs.

	Possession of Illegal Drugs	Sale of Illegal Drugs
1 st Offense	1 year from date of conviction	2 years from date of conviction
2 nd Offense	2 year from date of conviction	Indefinite period
3 rd (+) Offense	Indefinite period	Indefinite period

If a 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 the student successfully completes a qualified drug rehabilitation program as defined below. Further drug convictions will make the student ineligible again.

A student denied eligibility for an indefinite period can regain it **only 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.** 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 to the school that he/she has successfully completed the rehabilitation program.

Standards for a qualified 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

Regaining Title IV Eligibility

Title IV or federal aid funding includes all Federal Direct Loans, Federal Pell Grants, Federal Educational Opportunity Grants (FSEOG), Federal Academic Competitiveness Grants (ACG), Federal Work Study (FWS) and Perkins Loans.

When a student regains eligibility during the award year, the College may award Pell, FSEOG, ACG, FWS and Perkins for the current payment period and Federal Direct Loans for the period of enrollment.

*Regulatory Citation: Higher Education Act, Section 484(r) 34 CFR 668.4