

**DRUG
CONVICTIONS
MAY
AFFECT
YOUR
STUDENT AID**



U.S. DEPARTMENT OF EDUCATION

WHAT DO DRUG CONVICTIONS HAVE TO DO WITH STUDENT AID?

Under a new law, some students who have drug-related convictions may be ineligible for federal student aid. The new law takes effect for the 2000-2001 school year, which begins on July 1, 2000.

According to the law, if you are convicted of a drug-related offense, you may face these restrictions:

1.

For *possession* of illegal drugs, you are ineligible from the date of conviction (not arrest) for:
One year for a first offense
Two years for a second offense
Indefinitely for a third offense

2.

For *sale* of illegal drugs, you are ineligible from the date of conviction (not arrest) for:
Two years for a first offense
Indefinitely for a second offense

DO ALL DRUG CONVICTIONS COUNT?

No, do not count any conviction that was reversed, set aside, or removed from your record. Also, do not count any conviction that occurred before you turned 18, unless you were prosecuted as an adult.

Alcohol and tobacco are not illegal drugs under this law.

IF I HAVE DRUG CONVICTIONS, SHOULD I STILL APPLY FOR STUDENT AID?

Yes, even if you have drug convictions, you should complete and submit a Free Application for Federal Student Aid (FAFSA). You may be eligible, depending on the date and number of convictions.

Even if you are ineligible for federal student aid, you should complete and submit your FAFSA. Many states and schools use information from the FAFSA, and you may still be eligible for scholarships or other types of aid from their programs. And there is a way that you can regain eligibility for the federal programs, which is described later in this brochure.

CAN YOU GIVE SOME EXAMPLES?

A.

Student A has a first-time conviction for drug possession on February 1, 2000 (loses eligibility) **
Add 1 year to conviction date

Student A will be eligible again on February 1, 2001

B.

Student B has a first-time conviction for selling (distributing) drugs on March 1, 2000 (loses eligibility)**
Add 2 years to conviction date

Student B will be eligible again on March 1, 2002

C.

Student C has convictions for both possession and sale of drugs, and therefore has two "eligibility dates."

Second-time conviction for possession on February 1, 2000 (loses eligibility)**
Add two years to conviction date
Eligibility date is February 1, 2002

First time conviction for sale on March 1, 1999 (loses eligibility)**
Add two years to conviction date
Eligibility date is March 1, 2001

Student C will be eligible again on the later date, February 1, 2002

**** As stated before, the new law does not take effect until July 1, 2000. The students in our examples have convictions before July 1, 2000 and begin their periods of ineligibility on the date of conviction as shown. However, these students would not actually lose any federal student aid that they received, or are receiving, until July 1, 2000. The period of ineligibility for each student continues until the eligibility date arrives or they complete an acceptable drug rehabilitation program.**

HOW DO I ANSWER QUESTION 28 ON THE FAFSA?

Question 28 on the 2000-2001 FAFSA asks about drug convictions. You can either call the Federal Student Aid Information Center at 1-800 4-FED-AID (1-800-433-3243) or go to www.fafsa.ed.gov/q28 for help in answering the question. You can choose an interactive web questionnaire, an automated telephone questionnaire, or talk with a customer service operator. Your personal information is confidential and you will remain anonymous.

WHAT IF I AM INDEFINITELY INELIGIBLE?

You can regain eligibility for federal student financial aid no matter how many or what type of drug convictions you have. You must successfully complete an acceptable drug rehabilitation program that meets the standards set by Congress and the Department of Education, and you will regain eligibility on the date you complete the program.

WHAT IS AN ACCEPTABLE DRUG REHABILITATION PROGRAM?

An acceptable drug rehabilitation program must have TWO unannounced drug tests. AND it must either:

- Be qualified to receive funds from a federal, state, or local government agency or program, or from a state or federally licensed insurance company,

OR

- Be administered or recognized by a federal, state, or local government agency or court, or by a state- or federally licensed hospital, health clinic, or medical doctor.

HOW CAN I GET MORE INFORMATION?

If you still have questions about the new law, call the Federal Student Aid Information Center at 1-800 4-FED-AID (1-800-433-3243).

If you want to find out if a drug rehabilitation program meets the described standards, you need to contact the rehabilitation program.

