



## Federal Student Financial Aid Penalties for Drug Law Violations

Students are hereby notified that federal guidelines mandate that 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 Federal Student Aid. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when he/she was a juvenile, unless the student was tried as an adult. The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

	<b>Possession of Illegal Drugs</b>	<b>Sale of Illegal Drugs</b>
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	Indefinite period

If the 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.

MTSA will provide any student who becomes ineligible for Title IV aid, due to a drug conviction, a clear and conspicuous written notice of his loss of eligibility and the methods whereby he can become eligible again.

Students denied eligibility for an indefinite period can regain it after successfully completing rehabilitation program (as described below), passing two unannounced drug tests from such a 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.

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 and approved treatment programs by contacting the U.S. Department of Education at 1-800-433-3243.

### **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.

It is the student's responsibility to certify to the Financial Aid Office the date of conviction and if he/she has successfully completed a drug rehabilitation program.