

Federal Student Aid Penalties for Drug Convictions

Each institution must provide to each student, upon enrollment, a separate, clear and conspicuous written notice that advises the student that a conviction for any offense, during a period of enrollment for which the student was receiving federal financial aid program funds, under any federal or state law involving the possession or sale of illegal drugs will result in the loss of eligibility for any federal student grant, loan, or work-study assistance (HEA Sec. 484(r)(1)); (20 U.S.C. 1091(r)(1)). 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. In addition, **alcohol and tobacco are not illegal drugs under this law**. This notice is posted on our Financial Aid Online system for every prospective student who indicates that they will be applying for financial aid AND for every returning student who will be receiving aid (even if it is not Federal Aid).

All annual notices of ineligibility of aid are normally sent to students in June/July if a student has filed their FAFSA by our stated April 15th deadline. Students missing this deadline will receive notice once their application for financial aid is reviewed.

In addition, the "[Student Aid Eligibility Worksheet](#)" will also be posted on students' Financial Aid Online system as a missing document. Federal Aid will not be processed until this form has been completed.

Completing the FAFSA

Students who fill out their FAFSA online and answer "Yes" to question 23 will immediately receive a series of questions to determine their eligibility.

Students who fill out a paper FAFSA and answer "Yes" to this question will receive a worksheet with their SAR to determine whether the conviction affects their eligibility for federal student aid.

- If the date they regain eligibility falls before July 1, 2011, the worksheet will instruct them to change the response to a "1," indicating full eligibility for the award year.
- If the date falls between July 1, 2011, and June 30, 2012, they will not be eligible for part of the award year and will need to change the response to a "2."
- If the date falls after June 30, 2012, the students' response will remain a "3." They will not be eligible for federal aid during the entire award year unless they complete a qualified drug rehabilitation program.

Students convicted of a federal or state offense of selling or possessing illegal drugs that occurred while they were receiving federal student aid should still complete and submit the FAFSA because they may be eligible for federal aid, and even if they aren't, they may be eligible for state or institutional aid. Students who leave question 23 blank cannot be paid Title IV aid

until they respond by submitting a corrected SAR or ISIR. If you answer "YES" you can call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243) or go to www.fafsa.ed.gov if you need help filling out the worksheet after you receive it in the mail or printing it out from your "Missing Documents" tab on Financial Aid Online. Your personal information is confidential, and you will remain anonymous.

By law, some students who have drug-related convictions under any federal or state law **may be ineligible for federal student aid**. 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:
 - 1 year for a first offense
 - 2 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:
 - 2 years for a first offense
 - Indefinitely for a second offense

A student regains eligibility the day after the period of ineligibility ends or when he successfully completes a qualified drug rehabilitation program. Further drug convictions will make him ineligible again.

Students denied eligibility for an indefinite period can regain it only after successfully completing a rehabilitation program as described below **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.

When a student regains eligibility during the award year, schools can award Pell and Campus-based aid for the current payment period and Federal Direct Loans for the period of enrollment.

- 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.

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

Convictions During Enrollment

According to the United States Department of Education, if a student is convicted of a drug offense after receiving Federal aid, he or she must notify the Financial Aid Office immediately and that student will be ineligible for further aid and required to pay back all aid received after the conviction.

Drug and Alcohol Policy at Muhlenberg College

Muhlenberg College's policies on alcohol and drugs can be found in the [student handbook](#), at Campus Safety website (http://www.muhlenberg.edu/main/aboutus/campus-safety/drugs_alcohol.html), and on the Dean of Student's website <http://www.muhlenberg.edu/pdf/main/aboutus/deanst/studentguide.pdf#alcohol> and <http://www.muhlenberg.edu/pdf/main/aboutus/deanst/studentguide.pdf#drugu>

Other Resources

[National Institute on Drug Abuse](#)

[Teen Drug Abuse](#)

[Stop Alcohol Abuse](#)