

Students Convicted of Possession or Sale of Drugs

A federal or state drug conviction can disqualify a student for Federal Student Financial 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 financial 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 she was a juvenile, unless she 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.)

	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	

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.

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 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 that she has successfully completed the rehabilitation program.

Drug abuse hold

The Anti-Drug Abuse Act of 1988 includes provisions that authorize federal and state judges to deny certain federal benefits, including student aid, to persons convicted of drug trafficking or possession. The United States Department of Education maintains a file of those who have received such a judgment, and it checks applicants against that file to determine if they should be denied aid. This is separate from the check for a drug conviction discussed above, but the result could be the same. Confirmation of a student being in the drug abuse hold file will produce a rejected application and the student will not be able to receive financial aid.