

Notice to Students Concerning Penalties for Drug Violations

(Pursuant to the Higher Education Opportunity Act of 2008)

A student who is convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any grant, loan, or work assistance under Title IV, HEA Program funds shall not be eligible to receive any grant, loan, or work assistance under Title IV, HEA Program funds from the date of that conviction for the period of time specified in the following table:

If convicted of an offense involving:	
Possession of a Controlled Substance	
	Ineligibility period is:
First offense	1 year
Second offense	2 years
Third offense	Indefinite.
Sale of a Controlled Substance	
	Ineligibility period is:
First offense	2 years
Second offense	Indefinite

The term “controlled substance” means a drug or other substance, or immediate precursor, included in schedule I, II, III, IV, or V of part B of the Controlled Substances Act, 21 USC 810, et.seq., as amended, and does not include alcohol or tobacco.

Reinstatement of Financial Aid

A student whose eligibility for financial aid has been suspended may resume eligibility before the end of the applicable ineligibility period if–

- (1) the student satisfactorily completes a drug rehabilitation program that complies with criteria established by the Secretary of Education that includes two unannounced drug tests; or
- (2) the conviction is reversed, set aside, or otherwise unenforceable.

A drug rehabilitation program that complies with the criteria of the Secretary of Education is one that includes at least two unannounced drug tests, and (1) has received or is qualified to receive funds directly or indirectly under a Federal, State, or local government program, (2) is administered or recognized by a Federal, State, or local government agency or court, (3) has received or is qualified to receive payment directly or indirectly from a Federally- or State-licensed insurance company, or (4) is administered or recognized by a Federally- or State-licensed hospital, health clinic or medical doctor.