

Students Convicted of Possession or Sale of Illegal Drugs

A federal or state drug conviction can disqualify a student from receiving federal student aid funds. The student self-certifies on the FAFSA that he/she is eligible. 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; 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 the student was a juvenile unless the student was tried as an adult.

The chart below illustrates the period of ineligibility for federal student aid 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. The student will be provided a clear and conspicuous written notice of his/her loss of eligibility and the methods whereby he can become eligible again. A student regains eligibility the day after the period of ineligibility ends or when he/she successfully completes a qualified drug rehabilitation program that includes two unannounced drug tests given by such a program. Further drug convictions will make him/her ineligible again.

The student must certify to MCHP that he/she has successfully completed the program. When a student regains eligibility during the award year, MCHP may award Pell Grant for the current payment period and Direct Loans for the period of enrollment.

Standards for a qualified drug rehabilitation program

A qualified drug rehabilitation program must include at least two unannounced drug tests and 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.

Code of Federal Regulations: [Conviction for possession or sale of illegal drugs](#)