

Federal Financial Aid Penalties for Drug Violations

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education Opportunity Act states students convicted of an illicit drug violation can be denied federal financial aid for a specific period, in addition to other legal penalties. The Free Application for Federal Student Aid (FAFSA) asks students if they have been convicted of a drug-related offense: “Have you been convicted for the possession or sale of illegal drugs for an offense that occurred while you were receiving federal student aid (such as grants, loans, or work-study)? If you answer “yes,” the University will send a worksheet in the mail to determine if your conviction affects your eligibility for aid. Failure to answer the question automatically disqualifies students from receiving federal financial aid. Answering this question falsely could result in fines up to \$20,000, imprisonment or both.

More information about federal penalties and sanctions is located at <http://www.justice.gov/dea/agency/penalties.htm>

Penalties for Drug Convictions

If the student was convicted of both possessing and selling drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

Possession of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for one year from the date of conviction.
- For a second offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a third offense and subsequent offenses, a student has indefinite ineligibility for federal financial aid from the date of conviction.

Sale of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a second offense and subsequent offenses, a student has indefinite ineligibility from the date of conviction.

How to Regain Eligibility

A student can regain eligibility for federal student aid funds the day after the period of ineligibility ends or upon successful completion of a qualified drug rehabilitation program that must:

- Include at least two unannounced drug tests;

AND

- Have received or be qualified to receive funds directly or indirectly under a federal, state or local government program.

Students denied eligibility for an indefinite period can regain it after successfully completing a rehabilitation program, 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. The student is responsible to certify that a rehabilitation program was successfully completed. As with the conviction question on the FAFSA, the University is not required to confirm the reported information unless conflicting information is determined.

Convictions During Enrollment

Federal regulations require enrolled students convicted of a drug offense after receiving federal financial aid to notify Keiser University immediately. The student will then become ineligible for further federal financial aid and must repay federal financial aid received after the conviction.

Institutional Sanctions for Alcohol and Drug Violations

Any member of the University community found consuming or selling drugs on University property shall be subject to discipline on a case-by-case basis.

- Discipline will be based on the seriousness of the situation.
- A case may result in dismissal from the University.
- In all cases, the University will abide by local, state and federal sanctions regarding unlawful possession of drugs and the consumption of alcohol.
- Additional state penalties and sanctions may also apply.
- The University has adopted a zero-tolerance policy regarding underage drinking.