

TALMUDICAL INSTITUTE OF UPSTATE NEW YORK

**NOTICE OF FEDERAL STUDENT FINANCIAL AID PENALTIES
FOR DRUG LAW VIOLATIONS**

A federal or state drug conviction (but not a local or municipal conviction) can disqualify a student for FSA funds. The student self-certifies in applying for aid that he is eligible.

Convictions only count against a student for aid eligibility purposes (FAFSA question 23c) 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 committed during such a period, unless the student was denied federal benefits for drug trafficking by a federal or state judge. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when he was a juvenile, unless he 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. Schools must provide each student who becomes ineligible for FSA funds due to a drug conviction with a clear and conspicuous written notice of his 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 successfully completes a qualified drug rehabilitation program that includes passing two unannounced drug tests given by such a program.

Further drug convictions will make him ineligible again.

Students denied eligibility for an indefinite period can regain it, either after successfully completing a rehabilitation program (as described below, which includes 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. It is the student's responsibility to certify to Talmudical Institute of Upstate New York that he has successfully completed the rehabilitation program; as with the conviction question on the FAFSA, Talmudical Institute of Upstate New York is not required to confirm the reported information unless the school has conflicting information.