



FAQs on How Drug Convictions Affect Federal Financial Aid

Under federal law, some students who have drug-related convictions in state or federal court may be ineligible for federal student aid. This set of *Frequently Asked Questions* has been developed to help educate you about this issue, explain this issue's interaction with your broader disclosure obligations to the College of Law, and outline your options for regaining financial aid eligibility. *Please note that the information below is not intended to constitute legal advice. If you believe that you may be impacted by the controlling federal law, we encourage you to seek an attorney's advice about how to proceed.*

How does the federal government—specifically the U.S. Department of Education—know if I have a drug conviction?

All students seeking federal financial aid must complete the [*Free Application for Federal Student Aid*](#) (“FAFSA”). The FAFSA contains a question on convictions for drug offenses. It is important that you respond accurately. Any person who knowingly makes a false statement or misrepresentation in connection with an application for federal financial aid may be subject to penalties that may include fines, imprisonment, or both, under the U.S. Criminal Code and 20 U.S.C. § 1097. Inaccurate or false answers also can lead to charges under the College of Law's *Code of Student Professionalism and Conduct* and/or the *Academic Honor Code*.

Please note: The FAFSA disclosure is separate and apart from matters you are independently required to disclose to the College of Law on your application for admission and on the application for admission to practice law in Florida and other states. These latter disclosure requirements are broader than what is asked on the FAFSA. Inconsistencies among these various disclosures may lead to charges under the Code of Student Professionalism and Conduct and/or the Academic Honor Code, as well as a delay in bar admission.

What is included on the FAFSA?

One question on the FAFSA regarding drug offenses asks about convictions for possessing or selling illegal drugs if the offense occurred during a period of enrollment for which you were receiving federal student aid (grants, loans, and/or work-study). Alcohol and tobacco are not illegal drugs under this law. When answering this question, *do not count* convictions that have been removed from your record. Also, *do not count* convictions that occurred before you turned 18, unless you were tried as an adult.

Again, remember that this disclosure is separate and apart from matters you are required to disclose to the College of Law on your application for admission and on the application for admission to practice in Florida and other states. Items not required to be disclosed for FAFSA purposes (for example, alcohol-related offenses) could be subject to mandatory disclosure to the College of Law and the bars of various states.

How can I find out if my drug conviction will disqualify me from federal financial aid?

If you have a drug conviction(s) for these offenses, complete the *Student Aid Eligibility Worksheet* for the drug conviction question on the FAFSA to determine if your conviction affects your eligibility for aid. You can also call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243).

Even if you are not eligible for federal aid, you may be eligible for aid from the College of Law. If you are ineligible for federal financial aid, but then become eligible (for example, if your eligibility date arrives or if you complete an acceptable drug rehabilitation program), notify the Office of Student Financial Planning at finaid@law.stetson.edu immediately so they can assist you in exploring aid options.

If I do have a covered drug conviction, what are the periods of ineligibility for federal financial aid?

If you have been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance, you are not eligible to receive any grant, loan, or work assistance under Title IV during the period from the date of the conviction and through the interval specified below.

The period of ineligibility for federal student aid funds varies depending on whether the conviction was for sale or possession and whether you had previous offenses. If you were convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, you will be ineligible for the longer period.

Possession of Illegal Drugs:

First Offense: one year from date of conviction
Second Offense: two years from date of conviction
Third+ Offenses: indefinite period

Sale of Illegal Drugs:

First Offense: two years from date of conviction
Second Offense: indefinite period
Third+ Offenses: indefinite period

NOTE: 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. Further, you may be able to resume eligibility before the end of your ineligibility period if you satisfactorily complete an acceptable drug rehabilitation program, discussed in more detail below.

If I have one or more drug convictions, should I still apply for student aid?

Yes, even if you have drug convictions, you should complete and submit a [FAFSA](#). You may be eligible, depending on the date and number of convictions. Even if you are ineligible for federal student aid, you may still be eligible for scholarships or other types of aid from other programs.

In addition, you can regain eligibility for the federal programs no matter how many or what type of drug convictions you have by successfully completing an acceptable drug rehabilitation program that meets the standards set by Congress and the Department of Education. Doing so means you will regain eligibility on the date you complete the program. This is discussed below in more detail.

What is an acceptable drug rehabilitation program?

An acceptable drug rehabilitation program must:

- a. have two unannounced drug tests, and
- b. it must either:
 1. Be qualified to receive funds from a federal, state or local government agency or program, or from a state-licensed insurance company, or
 2. Be administered or recognized by a federal, state or local government agency or court, or by a state-licensed hospital, health clinic, or medical doctor.

If you want to find out if a drug rehabilitation program meets the described standards, you need to contact the rehabilitation program.

Before enrolling in a program, you are urged to verify that program completion will also serve as suitable evidence of rehabilitation in support of any subsequent effort to be admitted to practice law. Most state bars will look for such information as part of the character and fitness assessment for admission to practice law.

I submitted my FAFSA before I was convicted. What do I do?

If you are convicted of possessing or selling drugs after you submit your FAFSA, you must notify the College of Law's Office of Financial Aid immediately. You will lose your eligibility and be required to repay all aid you received after your conviction.

Please remember that this notification is in addition to your independent continuing disclosure obligations under the College of Law's [Amendment to Admissions Application](#) policy. In addition, College of Law and bar admission disclosure requirements are broader than what is asked on the FAFSA.

How can I get more information?

If you still have questions about the law, call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243). Your personal information is confidential, and you will remain anonymous.

If you have questions about your disclosure obligations under the College of Law [Amendment to Admissions Application](#) policy, contact the Associate Dean for Academic Affairs.

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