

THE NEW YORK SEMINARY

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 she 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 she was a juvenile, unless she 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 her loss of eligibility and the methods whereby she can become eligible again.

A student regains eligibility the day after the period of ineligibility ends or when she successfully completes a qualified drug rehabilitation program that includes passing two

unannounced drug tests given by such a program.

Further drug convictions will make her 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 The New York Seminary that she has successfully completed the rehabilitation program; as with the conviction question on the FAFSA, The New York Seminary is not required to confirm the reported information unless the school has conflicting information.