

# Notice of Financial Aid Penalties for Drug Law Violations

## June 21, 2010

### Overview

Students convicted of an offense under any Federal or State law involving the possession or sale of illegal drugs for conduct that occurred during a period of enrollment for which the student was receiving Federal Title IV, HEA program funds or need-based institutional financial aid funds, will lose eligibility for all Title IV, HEA grant, loan, and work-study assistance and for need-based institutional financial aid.

An illegal drug is a controlled substance as defined by section 102(6) of the controlled Substances Act (21 U.S.C. 801(6)), and does not include alcohol or tobacco.

Loss of eligibility is as follows:

<b>Conviction for possession of a controlled substance:</b>	<b>Period of ineligibility:</b>
First offense	One year from date of conviction
Second offense	Two years from date of second conviction
Third offense	Indefinite period from the date of the third conviction
<b>Conviction for sale of a controlled substance:</b>	<b>Period of ineligibility:</b>
First offense	Two years from date of conviction
Second offense	Indefinite period from the date of the second conviction

Students may regain eligibility for financial aid as follows:

A student who successfully completes a drug rehabilitation program after the student's most recent drug conviction regains eligibility on the date the student successfully completes the program.

A drug rehabilitation program is one which:

includes at least two unannounced drug tests; and

has received or is qualified to receive funds directly or indirectly under a Federal, State, or local government program;

is administered or recognized by a Federal, State, or local government agency or court;

has received or is qualified to receive payment directly or indirectly from a Federally- or State-licensed insurance company; or

is administered or recognized by a Federally- or State-licensed hospital, health clinic or medical doctor.

**Notice regarding financial aid penalties**

Institutions must provide to each student, upon enrollment, a separate, clear and conspicuous written notice that advises the student of financial aid penalties for drug convictions. Richmond does this at the beginning of each term by sending an email, from the University Registrar, to the University of Richmond email address of all enrolled students. While the federal regulation applies to federal Title IV financial aid, Richmond also applies this penalty to institutional need-based financial aid. A copy of the penalty notice is attached.

**Notice to students who lose eligibility**

Students respond to questions regarding drug convictions when completing the Free Application for Federal Student Aid (FAFSA). This information is conveyed to the Financial Aid Office by the federal FAFSA processor. Students who are ineligible for financial aid due to a drug conviction will be notified by the Director of Financial Aid, via U.S. mail or Richmond email, of the loss of financial aid eligibility. Information on the ways in which the student can regain eligibility will be included with the notification. A copy of the notice of ineligibility is attached.

## Notice to enrolled students regarding financial aid penalties for drug convictions

Students convicted of an offense under any Federal or State law involving the possession or sale of illegal drugs for conduct that occurred during a period of enrollment for which the student was receiving Federal Title IV, HEA program funds or need-based institutional financial aid funds, will lose eligibility for all Title IV, HEA grant, loan, and work-study assistance and for need-based institutional financial aid.

An illegal drug is a controlled substance as defined by section 102(6) of the controlled Substances Act (21 U.S.C. 801(6)), and does not include alcohol or tobacco.

Loss of eligibility is as follows:

<b>Conviction for possession of a controlled substance:</b>	<b>Period of ineligibility:</b>
First offense	One year from date of conviction
Second offense	Two years from date of second conviction
Third offense	Indefinite period from the date of the third conviction
<b>Conviction for sale of a controlled substance:</b>	<b>Period of ineligibility:</b>
First offense	Two years from date of conviction
Second offense	Indefinite period from the date of the second conviction

## Notice to students who have lost financial aid eligibility due to drug conviction

Dear Student:

Based upon the information we received from the federal application processor, you are not eligible for financial assistance because you reported on your application that you have been convicted of an illegal drug offense.

Students convicted of an offense under any Federal or State law involving the possession or sale of illegal drugs for conduct that occurred during a period of enrollment for which the student was receiving Federal Title IV, HEA program funds or need-based institutional financial aid funds, will lose eligibility for all Title IV, HEA grant, loan, and work-study assistance and for need-based institutional financial aid.

An illegal drug is a controlled substance as defined by section 102(6) of the controlled Substances Act (21 U.S.C. 801(6)), and does not include alcohol or tobacco.

Loss of eligibility is as follows:

<b>Conviction for possession of a controlled substance:</b>	<b>Period of ineligibility:</b>
First offense	One year from date of conviction
Second offense	Two years from date of second conviction
Third offense	Indefinite period from the date of the third conviction
<b>Conviction for sale of a controlled substance:</b>	<b>Period of ineligibility:</b>
First offense	Two years from date of conviction
Second offense	Indefinite period from the date of the second conviction

Students may regain eligibility for financial aid as follows:

A student who successfully completes a drug rehabilitation program after the student's most recent drug conviction regains eligibility on the date the student successfully completes the program.

A drug rehabilitation program is one which:

includes at least two unannounced drug tests; and

has received or is qualified to receive funds directly or indirectly under a Federal, State, or local government program;

is administered or recognized by a Federal, State, or local government agency or court;

has received or is qualified to receive payment directly or indirectly from a Federally- or State-licensed insurance company; or

is administered or recognized by a Federally- or State-licensed hospital, health clinic or medical doctor.

If you have successfully completed a drug rehabilitation program as outlined above, you should submit documentation confirming this to me as soon as possible. If you have questions, let me know.

Sincerely,

Cynthia B. Deffenbaugh  
Director, Financial Aid