



# The University of Mississippi

## Office of Financial Aid

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**Policy Name:** Students Convicted of Possession or Sale of Drugs

**Purpose:** This document contains the Office of Financial Aid's current policies and procedures regarding student acceptance of financial aid awards and their associated terms and conditions.

**Disclaimer:** This policy is subject to change, without notice, in order to comply with administrative and regulatory requirements.

**Policy Contents:**

- 1.0 Drug Conviction Overview
- 1.1 Standards for a Qualified Drug Rehabilitation Program
- 1.2 Policy Notification

**Definitions and Terms:**

FAFSA – Free Application for Federal Student Aid  
OFA – Office of Financial Aid  
SEOG – Supplemental Educational Opportunity Grant  
TEACH – Teacher Education Assistance for College and Higher Education Grant  
UM – University of Mississippi

**Part 1.0**

**Drug Conviction Overview**

A federal or state drug conviction can disqualify students from receiving Federal Title IV financial aid.

Title IV aid includes Federal Pell Grant, Iraq & Afghanistan Service Grant, SEOG, TEACH, Federal Work-Study, Direct Loans, and PLUS loans.

When completing a FAFSA, students must indicate whether they have such a conviction. If the answer is “Yes”, they may be subject to a period of ineligibility as required by law. In addition, students who leave the question blank cannot be paid Federal Title IV aid until they correct the FAFSA by providing a response.

The OFA will be notified on a processed FAFSA if a student has reported a conviction. Students cannot be awarded unless they are able to confirm that they have regained eligibility. **Students may wish to consult with a UM financial aid advisor or use the Federal Student Aid’s “Student Aid Eligibility Worksheet” to help determine if this law applies to them. This form is available in both Spanish and English at: <https://ifap.ed.gov/ifap/byAwardYear.jsp?type=drugworksheets>**

Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV federal aid – they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from a student’s record does not count, nor does one received when the student was a juvenile, unless the student 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 (Note: conviction for sale of drugs includes convictions for conspiring to sell drugs).

	Possession of illegal drugs	Sale of illegal drugs
<b>1st offense</b>	1 year from date of conviction	2 years from date of conviction
<b>2nd offense</b>	2 years from date of conviction	Indefinite period
<b>3+ offenses</b>	Indefinite period	

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

The student can regain eligibility the day after the period of ineligibility ends or when the student successfully completes a qualified drug rehabilitation program that includes passing two unannounced drug tests given by such a program. Any further drug convictions will make the student ineligible again.

Any student denied eligibility for an *indefinite* period can regain it only after one of the following ways:

- Successfully completing a rehabilitation program as described below (NOTE: it is the student’s responsibility to certify to the school successful completion).

- If a conviction is reversed, set aside, or removed from a student's record so that fewer than two convictions for sale or fewer than 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.
- Successfully completing two unannounced drug tests which are part of a rehab program (the student does not need to complete the rest of the program).

In such cases, the nature and dates of the remaining convictions will determine when they regain eligibility.

If a student regains eligibility *during* a term, the student may receive federal aid for that term.

#### Part 1.1

#### Standards for a Qualified Drug Rehabilitation Program

##### Standards for a qualified drug rehabilitation program

A qualified drug rehabilitation program must include at least two unannounced drug tests and must satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program.
- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
- Be administered or recognized by a federal, state, or local government agency or court.
- Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.

#### Part 1.2

#### Policy Notification

Email notification will be sent to the student body informing students of this federal policy. This email will be sent out during the Fall and Spring Semesters and the combined Summer term.