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Notice of Federal Student Financial Aid Penalties for Drug Law Violations

Cite: <https://c.ymcdn.com/sites/www.ncher.us/resource/collection/2E5C1878-9673-4B38-A98F-47B8F69BB50E/BlacklineConsContAppropAct2015Sec484.pdf>

As a requirement of the Federal Student Financial Aid program, the information provided below is given to each student upon enrollment at Employment Solutions, Inc./College for Technical Education.

A student is ineligible to receive title IV, HEA program funds, for a specific period of time, if the student has been convicted of an offense under any Federal or State law involving the possession or sale of illegal drugs if the violation occurred during a period of time in which the student was receiving title IV, HEA program funds. Students may regain their eligibility under the conditions listed below.

Convictions of drug offenses while NOT using Title IV HEA program funds, are not considered to be in violation eligibility rights.

For purpose of clarification, a conviction means only a conviction that is on a student's record that involves a controlled substance and does not include alcohol or tobacco. A conviction that was reversed, set aside, or removed from the student's record is not relevant for these purposes, nor is a determination or resolution from a juvenile proceeding.

Penalties Related to Drug Offenses

Conviction of Possession for illegal drugs

First offense = student is ineligible to receive title IV, HEA program funds for one year after the date of conviction

Second offense = the student is ineligible to receive title IV, HEA program funds for two years after the date of the second conviction

Three or more times = the student is ineligible to receive title IV, HEA program funds for an indefinite period after the date of the third conviction.



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Conviction of *Sale of illegal drugs.*

First offense = the student is ineligible to receive title IV, HEA program funds for two years after the date of conviction

Two or more offenses = the student is ineligible to receive Title IV, HEA program funds for an indefinite period after the date of the second conviction.

Regaining Eligibility through a Drug Rehabilitation Program

If a student successfully completes a drug rehabilitation program as described below, after the student's most recent drug conviction, the student regains eligibility on the date the student successfully completes the program. This requires two parts:

1. Includes at least two unannounced drug tests; and at least one of the following:
 2.
 - 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.

Citation: <https://www.law.cornell.edu/cfr/text/34/668.40>

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