

Resolution Calling for Repeal of the Higher Education Act Drug Provision

WHEREAS, a provision of the Higher Education Act mandates that students convicted of any drug-related offense (without regard to the nature of the offense or the offender) be denied eligibility for financial aid for periods ranging from one year to “indefinite;” and

WHEREAS, since 1998 this provision has affected more than 160,500 would-be students; and

WHEREAS, no other class of offender (including those convicted of rape or other violent offenses) faces similar restrictions on student aid eligibility; and

WHEREAS, this provision impacts only students of low to moderate economic means; and

WHEREAS, this provision keeps minorities out of school at a much higher rate than the general population because of racial profiling and the discriminatory enforcement of drug laws; and

WHEREAS, this provision only affects students who are doing well in school since there are already minimum GPA requirements for receiving federal financial aid; and

WHEREAS, judges already have the ability to revoke federal student aid from people convicted of drug offenses and college administrators already have the ability to expel problem students when they deem appropriate; and

WHEREAS, all students affected by this provision have already served sentences levied by the criminal justice system, effectively punishing them twice for the same infraction; and

WHEREAS, many prominent organizations have called for the full repeal of the provision, including the National Education Association, the National Association of Student Financial Aid Administrators, the Association for Addiction Professionals, the NAACP, and the United States Student Association; and

WHEREAS, putting up roadblocks on the path to education does nothing to solve our nation’s drug problems and only makes them worse; and

WHEREAS, proposals to partially reform the provision would leave many of the fundamental problems with the law unaddressed. Now therefore be it

RESOLVED, the **[school] [student government]** joins more than 120 other student governments around the nation in calling upon the 109th United States Congress to fully repeal the provision of the Higher Education Act that denies or delays access to financial aid based upon convictions for drug-related offenses; and further be it

RESOLVED, a copy of this resolution shall be transmitted to the entire U.S Senate and U.S. House delegation representing **[state]**.