

R008-0102

10 A RESOLUTION CONCERNING
20 THE REPEAL OF THE SECTIONS OF THE HIGHER EDUCATION ACT OF 1998
30 CONCERNING FEDERAL FINANCIAL AID AND DRUG CONVICTIONS

40 WHEREAS: A provision in the Higher Education Act of 1998 mandates that students
50 convicted of any drug-related offense, regardless to the nature of the offense or
60 the offender, be denied eligibility for financial aid for periods ranging from one
70 year to “indefinite;” and,

80 WHEREAS: No other class of offender, including those convicted of rape or other violent
90 offenses, faces similar restriction on student loan eligibility; and,

100 WHEREAS: This provision will, by its very nature, impact primarily students of low to
110 moderate economic means, and;

120 WHEREAS: This provision will also have a discriminatory impact on people of color, as their
130 communities are disproportionately targeted for enforcement of the drug laws.
140 For example African Americans, who comprise 12% of the nation’s population
150 and 13% of drug users, make up 55% of those convicted of drug offenses; and,

160 WHEREAS: To the extent that the federal government becomes involved itself in education, it
170 should be focused on making it easier, not more difficult, for citizens to educate
180 themselves; and,

190 WHEREAS: Education is an important factor in allowing people to become more productive and more
200 well-rounded citizens; and,

210 WHEREAS: The student governments of various institutions that have delegations in the Maryland
220 Student Legislature (MSL).

230 THEREFORE BE IT RESOLVED: That the Maryland Student Legislature (MSL) urges the 107th
240 Congress of the United States of America to repeal the section of the Higher Education
250 Act (HEA) of 1998 that denies or delays federal financial aid to those seeking to attend
260 an institution of higher learning who have been convicted of drug violations; and,

270 BE IT FURTHER RESOLVED: That MSL praises all student governments of institutions of higher
280 learning that have passed resolutions calling for the repeal of the illegal drug provision of
290 the HEA and urges other institutions to follow suit.

300 MANDATES: President George W. Bush
310 Vice President Richard Cheney
320 EPA Administrator Christine Todd Whitman
330 Senate Majority Leader Trent Lott
340 Senate Minority Leader Thomas Daschle
350 House of Representatives Speaker Dennis Hastert
360 House Majority Leader Dick Armey
370 House Minority Leader Richard Gephardt

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