



Fair Access to Education Act of 2015

Congressman Earl Blumenauer ■ Third District of Oregon ■ www.blumenauer.house.gov

REFORMING FAFSA: PROVIDING GREATER ACCESS TO FEDERAL STUDENT AID

The Problem:

Too often those with misdemeanor drug offenses, such as simple marijuana possession, continue to be discriminated against or stigmatized long after they've paid their fines or served their time. Such is the case when it comes to higher education. One of our greatest opportunities as Americans to better ourselves and start anew is pushed out of reach for many because of an outdated bias built into our federal student aid application.

The Free Application for Federal Student Aid, or FAFSA, requires applicants to disclose any drug-related offense they've had while receiving federal student aid. This question finds its way onto the application because of the Anti-Drug Abuse Act of 1988, which authorizes federal and state judges to deny certain federal benefits, including student aid, to persons convicted of drug trafficking or possession.

If that box is checked when you submit your application, it's then placed on hold and you receive this cryptic message: "*We cannot process your FAFSA . . . To address these issues, you must contact us by telephone . . .*" While it's possible to move beyond the hold, many don't, and too many should have never had their college education put on hold in the first place.

There is a balance that should be struck between holding people accountable for drug offenses and allowing them to learn from mistakes and then move on, without being held back by past infractions. The FAFSA question – number 23 for the 2015-16 school year – fails to strike that balance by not taking into account how minor the drug offense or whether the applicant has legally disposed of it.

The Solution:

That is why I am introducing the **Fair Access to Education Act of 2015**. This legislation would restore fairness to FAFSA so that a student's application is not stained with unfair stigmas from their past. This is done by:

- Allowing future FAFSA applicants with misdemeanor marijuana possession offenses to not have to check the box when applying for federal financial assistance;
- No longer requiring students who were convicted of a misdemeanor marijuana possession offenses while receiving federal student aid from having to check the box on their FAFSA; and
- Immediate eligibility for grants, loans, and work assistance to those whose applications were suspended because of the aforementioned offense.

The Fair Access to Education Act would help reduce recidivism and strengthen our communities. Students shouldn't be singled out and put through an additional screening process if they have a misdemeanor marijuana possession on their record. The applicant has already done the time for the crime and should be treated the same as everyone else.

For more information on Congressman Blumenauer's justice agenda, contact Corine Weiler in DC at (202) 225-4811, or visit his website at <http://blumenauer.house.gov/>.