



Coalition for Higher Education Act Reform

1623 Connecticut Avenue, NW • 3rd Floor • Washington, DC 20009

voice: (202) 232-7111 • fax: (202) 293-8344

e-mail: heareform@raiseyourvoice.com • web site: www.raiseyourvoice.com

November 2005

Dear University Presidents,

I am writing to you on behalf of the Coalition for Higher Education Act Reform (CHEAR) and the more than 250 organizations and more than 120 student governments from around the country that support the repeal of the Higher Education Act (HEA) drug provision. The HEA drug provision is a little-known federal law that denies financial aid to students with past drug convictions. Since this law was enacted in 2000, more than 175,000 students have lost their financial aid because of a past drug conviction. As a university president, you have a unique opportunity to voice the concerns of your student body and the academic community and urge Congress to restore financial aid to as many students as possible this Congress.

Both chambers of Congress have introduced different budget proposals that contain different changes to the drug provision. The House proposal, H.R. 4241, would reinstate financial aid to students with past drug convictions, but continue to deny financial aid to students convicted of a drug offense while enrolled in school. The Senate version, S. 1932, would reinstate aid to students with past possession convictions and bar the Department of Education from asking applicants about possession convictions on the Free Application for Federal Student Aid (FAFSA). We are asking Congress to further this progress and combine the best of both proposals by eliminating the retroactivity of the drug provision for all offenses and removing the drug question, or question 31, from the Free Application for Federal Student Aid (FAFSA).

While, House and Senate proposed changes would reinstate financial aid to thousands of students, they do not fully address the inherent flaws of this policy. We need to urge members of both the House and Senate to make sure that the best of both of these proposals are included in the final version of Congress' budget bill. As the president of your university, you have entree to members of Congress that your students may not. Please contact your member of Congress and let them know that you support efforts to scale back the Drug Provision as much as possible during the budget reconciliation process.

Included in this letter you will find a sample letter and a sample phone script to use when contacting your members of Congress. Feel free to edit these samples as you see fit and then write, sign, and fax a copy to CHEAR and your members of Congress. You can fax CHEAR at 202-293-8344. Representatives and Senators fax numbers can be located at www.RaiseYourVoice.com/lookup.html. If you have any questions about this issue or campaign, please do not hesitate to contact me.

Thank you,

Chris Mulligan
Campaign Director

Encl: Sample letter, Sample call script, background information on the law, and lists of supportive organizations and student governments.

Sample Letter

The following is a sample letter that you may want to edit or send in its entirety, or only use as background in writing your own letter.

(Sen. or Rep.),

As president of _____ (University or College), I am writing to encourage you to remove the drug question, also known as question 31, from the Free Application for Federal Student Aid (FAFSA) as well as eliminate the drug provision's "reach back" effect for all offenses. Passed in 1998, the initial intent of the Higher Education Act (HEA) drug provision was to discourage drug use on college campuses. However, there is little evidence that the drug provision has been effective in deterring drug use among students. To date, more than 175,000 students have been denied the opportunity to attend institutions of higher learning because of the law. Most likely we will see the this issue dealt with through budget reconciliation by year's end, and as a member of Congress, you have an important opportunity to strengthen the efforts already made to limit the far-reaching effects of this federal financial aid ban. Please further this progress by removing question 31 from the FAFSA entirely and eliminating the drug provision's "reach back" effect.

I firmly believe that the purpose of the HEA is to help lower income students obtain a higher education and become successful, contributing members of society, regardless of any past mistakes they might have made. Studies indicate that persons who are able to obtain a college degree have much lower incarceration rates and earn a substantially higher annual and lifetime income. By denying students financial aid for school, the drug provision is costing us in criminal justice dollars and economic potential. It is also important to note that education is an important aspect of rehabilitation. We should not deny students with past criminal convictions the chance to get their lives back on track.

You have the opportunity to correct many of the flaws contained in the drug provision by simply removing the drug question from the FAFSA and eliminating the "reach back" effect of the law as the budget reconciliation process takes place. Please work with both chambers of Congress to create a bill that includes the best language of both the House and Senate's proposed changes, especially with regard to the removal of question 31 and elimination of the law's retroactivity for all offenses. Thank you for your attention to this important issue. I would appreciate a response with your thoughts.

Sincerely,

Your Name
Address

Sample Phone Script

When calling your legislators, you might find the following sample script helpful:

"Hi, my name is _____, and I am the President of _____ (College or University).

I'm calling to encourage (Sen. or Rep.) _____ to take an active role in restoring financial aid to students denied aid because of a past drug conviction. As Congress works to reconcile the House and Senate budget proposals, please restore financial aid to as many students as possible by eliminating the law's retroactivity for all offenses and removing the drug question, or question 31, from the Free Application for Federal Student Aid (FAFSA).

As a university president I understand the disproportionate affects the drug provision has on low- and middle-income students; who are precisely the students the Higher Education Act was intended to assist. To date, more than 175,000 students have been denied aid because of the Drug Provision. It has also deterred thousands more from even applying.

Once again, I strongly encourage (Sen. or Rep.) _____ to support eliminating the law's retroactivity for all offenses and remove the drug question from the FAFSA.

Notes

If, in the unlikely event that the staffer might ask, you can cite the "drug provision" as section 484(r) of the Higher Education Act of 1965, or Title 20, section 1091(r) of the U.S. Code.