



*Federal Student Financial Aid Penalties for Drug Law Violations and ICB's Drug Free Awareness Program (DFAP)*

**Federal Student Financial Aid Penalties for Drug Law Violations**

In December 2020, the FAFSA Simplification Act was enacted into law as part of the Consolidated Appropriations Act of 2021. The FAFSA Simplification Act amended Section 484 of the Higher Education Act of 1965 (HEA), making several important changes to student eligibility criteria.

One of these is the elimination of the prohibition on receiving Title IV aid for students with drug-related convictions. For the 2022-2023 award year, the Selective Service and drug conviction questions will remain on the FAFSA. However, having a drug conviction while receiving Title IV aid will no longer impact a student's Title IV aid eligibility, and a student who has a drug conviction may be eligible to receive Title IV aid if they meet all other eligibility criteria.<sup>1</sup>

**Drug Free Awareness Program (DFAP)**

Each student, upon enrollment, must sign a form that outlines the institution's Drug-Free Awareness Program. ICB has a four-phase program designed to inform all students and staff of the dangers of drug abuse.

The phases are listed below:

**Phase 1:** Warning to all employees and students of the dangers of drug abuse in the workplace. – Drug abuse impairs memory, alertness, and achievement. It erodes the capacity to perform, think, and act responsibly. It may be grounds for termination from employment or expulsion from school at ICB.

**Phase 2:** Notice: The institution has a policy of maintaining a drug-free workplace. – All employees and students are hereby notified that the unlawful manufacturing, distributing, dispensing, possessing, or using of illicit drugs or alcohol is prohibited on the premises of all locations of ICB. This includes all inside facilities, surrounding outside areas, and all functions sponsored by the ICB at other locations.

**Phase 3:** Penalties of non-compliance with the terms of the institution's drug-free awareness program will result in the following actions being taken by ICB. Disciplinary sanctions will be imposed on any student or employee (consistent with local, state, and federal law) in possession of, using, or distributing illicit drugs or alcohol. These sanctions include completing an appropriate rehabilitation program, expulsion from school, termination, of employment by the school, and referring any such incident to law enforcement officials for prosecution.

Anyone using, or in possession of, illicit drugs or alcohol on school property will have the option

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<sup>1</sup> file:///C:/Users/Owner/Downloads/\_knowledge-center\_fsa-handbook\_2022-2023\_vol1.pdf



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of enrolling in and completing an appropriate rehabilitation program or be terminated from school (or employment). This is applied to first time offenders only. Second time offenders will be terminated immediately.

Anyone distributing illicit drugs on school property will be expelled immediately and referred to the police for prosecution.

**Phase 4:** Referral to a counseling, treatment, or rehabilitation facility. If any student or employee has an illicit drug or alcohol addiction or problem, ICB strongly suggests you seek counseling, treatment, or rehabilitation.

The following statements deal with a very serious problem in the United States: illicit drug and alcohol abuse. ICB is required by the U.S. Department of Education to implement a drug prevention program for its students and employees. Compliance with the Drug Free Schools and Communities Act of 1989 is a condition of the school's eligibility to participate in Title IV programs (financial aid).

ICB strongly recommends that any student or employee who has a drug or alcohol addiction or problem seek counseling, treatment, or rehabilitation for your problem. The following list contains resources for locating such treatment:

Statewide Resources	Local Resources	
Ohio Department of Education Opioid Abuse Section 25 South Front Street Columbus, Ohio 43215	Drug Education/Information Program/United Health Services	937-220-6600
	Nova House Association	513-253-1680
Ohio Department of Mental Health and Addiction Services 30 East Broad Street, 36th Floor Columbus, Ohio 43215-3430	Project Cure	937-262-3500
	Alcoholic Anonymous	937-222-2211