

Operational Services

Insufficient Fund Checks and Debt Recovery

The Superintendent or designee is responsible for collecting up to the maximum fee authorized by State law for returned checks written to the District which are not honored upon presentation to the respective bank or other depository institution for any reason. The Superintendent is authorized to contact the Board attorney whenever necessary to collect the returned check amount, fee, collection costs and expenses, and interest.

Delinquent Debt Recovery

The Superintendent is authorized to seek collection of delinquent debt owed the District. The Superintendent or designee shall execute to the requirements fullest extent of the law.

A Local Debt Recovery Program may be available through the Illinois Office of the Comptroller (IOC). To participate in it, an intergovernmental agreement (IGA) between the District and IOC must be in existence. The IGA establishes the terms under which a District may request, and refer delinquent debt to the Comptroller will IOC for an offset (deduction). The IOC may execute an offset of in the amount of the delinquent debt owed to the District from a future payment that the State makes to an individual or entity responsible for paying the delinquent debt.

The Superintendent or designee shall execute the requirements of the District and IGA. While executing the requirements, the Superintendent or designee is responsible, without limitation, for each of the following:

1. Providing a District-wide, uniform, method of notice and due process to the individual or entity against whom a claim for delinquent debt payment (*claim*) is made. Written notice and an opportunity to be heard must be given to the individual or entity responsible for paying a delinquent debt before the debt claim is certified to the IOC for offset. The notice must state the claim's amount, the reason for the amount due, the claim's date or time period, and a description of the process to challenge the claim. If reimbursable meals or snacks provided under the Hunger-Free Students' Bill of Rights Act are the basis of the District's delinquent debt claim of no less than \$500, the notice must be sent to a student's parent(s)/guardian(s) only after: (a) the student owes the District more than five meals and/or snacks; (b) the Superintendent or designee made: (i) repeated contacts to collect the amounts owed, and (ii) reasonable efforts to collect the amount due for at least one year; and (c) the District requested the student's parent(s)/guardian(s) to apply for meal benefits pursuant to policy 4:130, Free and Reduced-Price Food Services, and they either: (i) did not qualify, or (ii) refused to apply.
2. An individual or entity challenging a claim shall be provided an informal proceeding to refute the claim's existence, amount, or current collectability; the decision following this proceeding shall be reviewable.
 - a. If a waiver of student fees is requested as a challenge to paying the claim, and the waiver of student fees is denied, an appeal of the denial of a fee waiver request shall be handled according to 4:140, *Waiver of Student Fees*. If no waiver of student fees is requested, reviews regarding payment of the claim shall be handled according to this policy before certification to the IOC for offset.
 - b. If application for meal benefits pursuant to policy 4:130, Free and Reduced-Price Food Services, is requested as a challenge to paying the claim, and the request is denied, an appeal of the denial of the request shall be handled according to 4:130, Free and Reduced-Price Food

Services. If no request for meal benefits is received, review of the claim's payment shall be handled according to this policy before certification to the IOC for offset.

3. Certifying to the Comptroller IOC that the debt is past due and legally enforceable, and notifying the Comptroller IOC of any change in the status of an offset claim for delinquent debt.
4. Responding to requests for information from the Comptroller IOC to facilitate the prompt resolution of any protest administrative review requests received by the Comptroller IOC.

LEGAL REF.: 15 ILCS 405/10.05 and 10.05d, State Comptroller Act.
105 ILCS 123/, Hunger-Free Students' Bill of Rights Act.
810 ILCS 5/3-806, Uniform Commercial Code.

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May 20, 2024

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