

Operational Services

Insufficient Fund Checks and Debt Recovery

Insufficient Fund Checks

The Administrative Agent District is responsible for collecting up to the maximum fee authorized by State law for returned checks written to the Joint Agreement that are not honored upon presentation to the respective bank or other depository institution for any reason. The Director 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 Administrative Agent District is authorized to seek collection of delinquent debt owed the Joint Agreement to the 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 Joint Agreement and the IOC must be in existence. The IGA establishes the terms under which the Joint Agreement may refer a delinquent debt to the IOC for an offset (deduction). The IOC may execute an offset, in the amount of the delinquent debt owed to the Joint Agreement, from a future payment that the State makes to an individual or entity responsible for paying the delinquent debt.

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

1. Providing a Joint Agreement-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 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.
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 IOC that the debt is past due and legally enforceable, and notifying the IOC of any change in status of an offset claim for delinquent debt.
4. Responding to requests for information from the IOC to facilitate the prompt resolution of any administrative review requests received by the IOC.

LEGAL REF.: 15 ILCS 405/10.05 and 10.05d, State Comptroller Act.

810 ILCS 5/3-806, Uniform Commercial Code.

ADOPTED: March 19, 2026