

Operational Services

Exhibit - Cover Page Documenting the Process to Seek Offset from the Illinois Office of the Comptroller (IOC)

This cover page documents the steps the District must take before recovering a delinquent debt through an offset (deduction) of a future payment the State makes to an individual responsible for the delinquent debt. An Intergovernmental Agreement (IGA) between the IOC and the District must be in place before the District may seek an offset to satisfy a delinquent debt. Consult the Board Attorney for assistance in implementing a District-wide delinquent debt recovery program that will satisfy the requirements necessary to enter into an IGA with the IOC, e.g., the Superintendent should ensure that the District uses a uniform process to seek offset from the IOC. After completing a step, the responsible staff person must record the date, initial the step, and put all material into the claim folder.

Confidential Inter-Office Information

Definitions

Business Office means the District department that provides the District’s fiscal and business management.

Change in status means, without limitation, payments received other than through a successful offset, the filing of a bankruptcy petition, the death of the debtor, or the expiration of the ability for the debt to remain subject to an offset, as provided for in the Intergovernmental Agreement (IGA).

Claim means the demand for payment of a delinquent debt.

Claim folder means the folder containing material for an individual claim; it includes this cover page, the documentation of the Building Principal or designee’s notifications of debt and request(s) for payment, the Notice of Claim, relevant supporting information, and any material or explanation received from the Debtor.

Debtor means the person or entity responsible for satisfying a delinquent debt.

IOC means Illinois Office of the Comptroller.

Notice of Claim means Exhibit 4:45-E2, *Notice of Claim and Intent to Seek Debt Recovery; Challenge; and Response to Challenge*.

Offset means a deduction of the amount of a debt owed to the District from a future payment that the State makes to an individual or entity that is responsible to satisfy the debt.

Debtor

Contact information

When the District enters the IOC Program through an IGA, and the District decides a Claim will be referred to the IOC, the following steps will be documented:

| Step | Date | Initials |
|---|-------------|-----------------|
| Building Principal sent written documentation referring a claim for further recovery proceedings. This documentation is placed in the claim folder. | | |
| Superintendent or designee has inspected the Building Principal’s written documentation above and agrees that the claim should be referred for recovery through the IOC. Note: Consult the Board Attorney. Treating claims differently, i.e., referring some and not others, may trigger the Constitution’s Equal Protection Clause. | | |
| District sent the Notice of Claim; certified mail, return receipt requested. Note: While certified mail is not required, it is a best practice. | | |
| Receipt of certificated receipt showing delivery of the Notice of Claim on | | |

| Step | Date | Initials |
|---|------|----------|
| _____. | | |
| Receipt of the Debtor's challenge to the claim. <i>If no challenge is received by the deadline in the Notice of Claim, send the claim folder to the Superintendent's office for review and continued processing.</i> | | |
| Receipt of Debtor's written explanation and/or any documentation. | | |
| Arrangements made for informal proceeding with Debtor; scheduled for _____. <input type="checkbox"/> Telephone or <input type="checkbox"/> In-person | | |
| Informal proceeding held with Debtor. <input type="checkbox"/> Telephone or <input type="checkbox"/> In-person Attendees: _____ _____ | | |
| <p>Decision of the Business Office</p> <p>Business office <i>[name]</i> _____, found that the claim should be considered: <input type="checkbox"/> Satisfied or <input type="checkbox"/> Enforceable (<i>check boxes below that apply</i>).</p> <p><input type="checkbox"/> Debtor asserted waiver of student fees as a challenge to paying the claim.</p> <p><input type="checkbox"/> 4:140-E1, <i>Application for Fee Waiver</i> was provided to Debtor and documented in the claim folder.</p> <p><input type="checkbox"/> 4:140-E2, <i>Response to Application for Fee Waiver, Appeal, and Response to Appeal</i> is placed in folder.</p> <p><input type="checkbox"/> Debtor fee waiver request was: <input type="checkbox"/> Granted or <input type="checkbox"/> Denied. If denied, did Debtor appeal the denial? <input type="checkbox"/> Yes or <input type="checkbox"/> No. Note: Fee waivers satisfy a claim.</p> | | |
| Business office <i>[name]</i> _____, forwarded the claim folder to the Superintendent's office. | | |
| If the Business office found that the claim is satisfied, the Superintendent or designee notified the Debtor that the claim is considered satisfied. He or she closed this claim folder and checked the "claim is satisfied" box above. | | |
| <p>Review by Superintendent or designee</p> <p>If the Business office found the debt to be enforceable, the Superintendent or designee independently reviewed the claim and made the following finding:</p> <p><input type="checkbox"/> Satisfied. Debtor sent a notification on _____.</p> <p><input type="checkbox"/> Enforceable. Debtor notified on _____ that the claim must be paid by _____ to void further collection efforts.</p> | | |
| <p>Certification of Past Due Debt to the IOC</p> <p>The Superintendent or designee certifies the debt as required in the terms of the IGA between District and the IOC.</p> | | |
| <p>Offset Processing with the IOC</p> <p>The Superintendent or designee updates a Debtor's records as required by the terms of the IGA between the District and the IOC.</p> | | |

ADOPTED: May 20, 2013

AMENDED: January 26, 2015