

Mike Keckler

From: keithrutledge@sd83.org
Sent: Friday, July 7, 2023 4:52 PM
To: Matt Freeman; SBE Board; AGLabrador@ag.idaho.gov;
infosuperintendent@sde.idaho.gov; brandendurst@sd83.org
Subject: Request
Attachments: SCentral Of23070714500.pdf

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Dear Mr. Freeman,

Attached is a letter from West Bonner County School District #83 (WBCSD) regarding the SBOE's approval of a provisional certificate for one of our employees. A hardcopy will soon follow.

Best,

Keith Rutledge
WBSCD Board of Trustees Chair



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WEST BONNER COUNTY SCHOOL DISTRICT #83

Administrative Office

134 Main Street, Priest River, ID 83856

(208)448-4439 • www.sd83.org

July 7, 2023

Idaho State Board of Education
c/o Dr. Linda Clark & Matt Freeman
P.O. Box 83720
Boise, ID 83720-0037

Dear President Clark and Executive Director Freeman,

As you are aware the Idaho State Board of Education (SBOE) approved an emergency provisional certificate for West Bonner County School District #83 (WBSCD) employee, Teresa Susie Luckey on June 14, 2023. This letter is to formally demand that the emergency provisional certificate be rescinded immediately due to nonconformance with Idaho law as outlined below.

With regards to emergency certificates, Idaho Code 33-1203 states, "but in emergencies, which ***must be declared***, the state board may authorize the issuance of provisional certificates based on not less than two (2) years of college training." (Emphasis added)

Further, the "Application Packet for State Board of Education Emergency Provisional Certificate" authored by the Idaho State Department of Education (SDE) states unequivocally, "*The Board of Trustees declared an emergency exists in our district/charter for the position and recorded the declaration in the current school year official board minutes.*"

Both Idaho Code and the guidance provided by the SDE clearly and unambiguously require WBCSD's Board of Trustees to formally vote, in open meeting, to declare an emergency and record the declaration in official board minutes. No such process occurred with regards to Mrs. Luckey because no emergency was ever declared by the Board of Trustees and subsequently no official board minutes exist.

Due to this, Mrs. Luckey's application was invalid and never should have been considered by the SBOE for approval. While this oversight by your staff is perhaps understandable, corrective action is required.

Subsequently, we are demanding that SBOE immediately rescind its approval and provide a letter to WBCSD indicating that the corrective action, as required by law, has been completed.

We look forward to submitting a valid application for your approval upon receipt of the letter requested above.

Best,

A handwritten signature in dark ink, appearing to read 'Keith Rutledge', with a stylized, flowing script.

Keith Rutledge

Chair, WBCSD Board of Trustees

CC: Debbie Critchfield, Idaho State Department of Education

Raul Labrador, Office of the Attorney General. State of Idaho