



650 W. State Street • Suite 307 • Boise, ID • 83702
P.O. Box 83720 • Boise, ID • 83720-0037

August 2, 2023

West Bonner County School District #83
Mr. Keith Rutledge
Chair, WBCSD Board of Trustees
134 Main Street
Priest River, ID 83856

Dear Mr. Rutledge,

I am writing in response to your letter dated July 7, 2023 in which you “formally demand” that the emergency provisional certificate granted to Ms. Luckey at the request of the West Bonner County School District be “rescinded immediately due to nonconformance with Idaho law.” The basis for your request appears to be that West Bonner doesn’t have minutes from its meeting on March 17, 2023 reflecting that it declared an emergency.

Enclosed is a copy of the District/Charter and Candidate application form West Bonner and Ms. Luckey collectively submitted to the State Department of Education requesting authorization of Ms. Luckey’s provisional certificate. As reported in the Bonners Ferry Herald and the Bonner County Daily Bee, Ms. Luckey was hired by the West Bonner Board at its meeting held on March 17, 2023 following the abrupt resignation of the prior superintendent. Copies of the articles are enclosed for reference.

The emergency provisional certificate form West Bonner submitted provides the following “emergency explanation verification” in support of the district’s request for Ms. Luckey’s emergency provisional certificate:

- “The Board of Trustees declared an emergency exists in our district/charter for the position and recorded this declaration in the current school year official board minutes meeting on 03/17/202.” (sic)
- “The previous Superintendent resigned effective immediately, 3/15/2023. Our Board of Trustees met, and appointed Susie Luckey as the Interim Superintendent for the remainder of the 22-23 school year.”
- “Hire date for this assignment 3/17/2023.”

You signed the attestation in the form. Your signature appears to match that of your July 7th letter.

Idaho Code § 33-1203 states “in emergencies, which must be declared, the state board [of education] may authorize the issuance of provisional certificates based on not less than two (2) years of college training.” The practice of the State Board has been to rely on information provided by school districts detailing the emergency which is the basis for a district’s request for approval of a provisional emergency certificate.

If an emergency did not exist, it is unclear why the district would have hired Ms. Luckey to serve as superintendent at its March 17th meeting. It appears from the West Bonner County School District website that the West Bonner Board of Trustees has held many board meetings and not posted corresponding minutes. While the application packet asks the requesting district or charter to attest that an emergency declaration was made and recorded pursuant to Idaho open meeting law – and you did so attest – Idaho Code § 33-1203 does not impose such a requirement. Nor does that statute prevent the State Board from independently assessing whether an emergency exists.

Regardless, the State Board considered the district’s request that Ms. Luckey be granted a provisional emergency certificate at its June 14, 2023 meeting and granted the request in reliance on the materials submitted by West Bonner County, in particular the emergency provisional certificate form submitted under your signature as Chair of the board. Therefore, no further action will be taken on this matter.

Sincerely,



Matt Freeman
Executive Director
Idaho State Board of Education

encl.