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September 13, 2023

Tracy Rusho  
Special Services Administrative Assistant/Human Resources Coordinator  
West Bonner County School District 83  
134 Main Street  
Priest River, ID 83856

Dear Ms. Rusho,

I am writing regarding the application for emergency provisional certification you submitted electronically on behalf of Mr. Branden Durst and the West Bonner County School District received by the State Department of Education on August 29, 2023.

Although the State Board of Education has issued emergency provisional certificates to administrators on three separate occasions since 2015, the decision by West Bonner trustees to hire an uncertified individual to serve as superintendent this summer prompted a legal review of several Idaho education statutes and administrative rules. This review concluded that Idaho Code § 33-1203 only authorizes the issuance of emergency provisional certificates to *teachers*. The State Board does not have legal authority to grant such certificates to *administrators* or to waive the administrator certificate – superintendent endorsement requirements set forth in IDAPA 08.02.02.15.03.b.

As such, the State Board does not have the legal authority to consider the application submitted by your district for Mr. Durst. Therefore, absent Mr. Durst meeting all five requirements for a superintendent endorsement under IDAPA 08.02.02.15.03.b., there is no pathway for Mr. Durst to obtain the legally required certification to serve as the West Bonner County School District superintendent.

Thank you for your time and attention. Please reach out if you have any questions.

Sincerely,

Matt Freeman  
Executive Director

Cc: Carlyn Barton  
Margaret Hall  
Troy Reinbold