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August 16, 2023

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

Dear Chairman Rutledge,

In light of recent exchanges, we are reaching out regarding the West Bonner County School District's decision to employ a non-certified individual as superintendent and share with you specific areas in which the district is currently out of compliance with state requirements.

As a reminder, the State of Idaho requires that educators and administrators obtain the proper certification to perform the duties associated with their respective positions. Specifically, Idaho Code § 33-1201(1) establishes that:

*"Every person who is employed to serve in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse or school librarian shall be required to have and to hold a certificate issued under authority of the state board of education...."*

Through authority outlined in both the Idaho Constitution and state law, the State Board of Education has developed a set of criteria that administrators must meet in order to be certified to perform the duties of a superintendent. At this point, Branden Durst does not hold the proper superintendent certification, and thus, is unqualified to work in Idaho as a superintendent.

Further, Idaho Code § 33-512 addresses local school trustees' powers and duties. Specifically, Idaho § 33-512(13) requires that trustees shall:

*"govern the school district in compliance with state law and rules of the state board of education."*

The relationship between the aforementioned codes strongly suggests your board's decision to allow an uncertified individual to serve as superintendent violates Idaho law.

Based on the oversight authority provided to it, the State Board has a direct interest in ensuring that local districts – and their elected leaders – comply with Idaho law. Therefore, we request that your

board communicate, in writing, its immediate plan to bring the district into compliance with Idaho Code § 33-1201(1) and Idaho Code § 33-512(13). We ask that you do so no later than August 23, 2023.

Finally, we have asked State Department of Education staff to provide a list of areas in which the West Bonner County School District is currently out of compliance with state requirements. That list is attached. Please note that the appropriate SDE staff member and their contact information is listed as part of each documented deficiency. We include this information as a means of aiding you in your efforts to immediately bring the district into compliance.

Thank you for your cooperation.

Sincerely,



Linda Clark, Ed.D.  
President, State Board of Education



Matt Freeman  
Executive Director, State Board of Education

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**Appendix— West Bonner School District Operational Deficiencies:**

**School Finance:**

The School Finance team has reviewed the budget submission for the West Bonner County School District but found several issues. Primarily, the budget revenues and expenditures do not balance for the submitted budget and our summary of board approved budgets for West Bonner does not match its submission.

Contact: Public School Finance Specialist Carol Piranfar; (208) 332-6844.

**Transportation:**

School busses require a 60-day inspection after summer break before transporting students in the new school year. School busses must be inspected by a qualified technician and pass this inspection before commencing normal operations. The State Department's iBus system tracks these inspections and all school vehicles that are cleared to safely transport students.

If a school bus has not passed its 60-day inspection, it is not cleared to operate with students onboard. If the State Department becomes aware of uninspected school busses transporting students, it is obligated to contact the Idaho State Police to cease the operation of the any buses that have not passed this safety inspection.

Contact: Region I & II Transportation Specialist Tony Dechand; (208) 784-3079.

**Special Education:**

The West Bonner County School District is identified to have significant disproportionality of students with disciplinary action. As such, West Bonner is required by federal law— the Individuals with Disability Act (IDEA)— to utilize comprehensive coordinated early intervening services (CCEIS) to serve children in their district, particularly, but not exclusively, children in those groups that were significantly overidentified.

This is West Bonner's second consecutive year identified with significant disproportionality for discipline. The State Department is charged with requiring a district to publicly report on the revision of its policies, procedures, and practices in order to comply with the law.

Contact: Special Education Financial Specialist Lisa Pofelski-Rosa; (208) 332-6916.



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**Federal Programs:**

West Bonner County School District has not completed its Consolidated State Federal Grant Application (CSFGA) and submitted it for SDE approval. Without this approval, West Bonner cannot receive any federal funding (reimbursement) through the Grant Reimbursement Application (GRA), meaning the district cannot access any federal funds.

Additionally, the district's high school has been identified as a CSI-Up school, based on the Idaho Consolidated Plan, which complies with the federal Every Student Succeeds Act (ESSA). West Bonner's High School is required to follow the CSI-Up guidelines and required activities. SDE staff has previously encouraged the district to assign Title I dollars to the high school so it can also receive CSI-Up specific dollars as an identified school.

Contact: Federal Programs Director Josh Noteboom; (208) 332-6893.