

**THE ARKANSAS STATE BOARD OF EDUCATION**

**IN RE THE MATTER OF  
ZACHARY NIDIFFER  
MAY 14, 2020**

**LICENSURE ACTION  
CASE NO.:  
LA-20-04**

At its regular meeting on May 14, 2020, the Arkansas State Board of Education (“Board”) considered the matter of Zachary Nidiffer (“Educator Nidiffer”) concerning a disqualifying offense. Based upon the evidence presented, in accordance with the Administrative Procedure Act, Ark. Code Ann. § 25-15-101 et seq., the Board hereby states as follows:

**I. Findings of Fact:**

- a. The Division received information that on December 13, 2019, Zachary Nidiffer (Educator Nidiffer) was found guilty of Endangering the Welfare of a Minor 2<sup>nd</sup> Degree which is a disqualifying offense for teacher licensing under Ark. Code Ann. § 6-17-410(c).
- b. Educator Nidiffer was notified of the disqualifying offense, and had thirty (30) days to request a waiver hearing on the revocation of his license.
- c. Educator Nidiffer requested a hearing regarding the revocation of his license.
- d. The Board considered:
  - i. The educator’s age at the time of the offense;
  - ii. The circumstances surrounding the offense;
  - iii. The length of time since the offense;
  - iv. The educator’s subsequent work history;
  - v. The educator’s employment and character references; and
  - vi. Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.
- e. A motion was made to suspend Educator Nidiffer’s license for six months starting when this order is signed. The motion carried.

## II. Conclusions of Law

- a. The State Board of Education may consider the enumerated offenses as a disqualification for licensing. See Ark. Code Ann. §§ 6-17-410(c), 6-17-410(d)(A)(5) and 6-17-411. This includes offenses which have been expunged, sealed, and pardoned by the governor.
- b. Upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-410 and 25-15-201 et seq., the Arkansas State Board of Education suspends the educator's license for six months.

IT IS SO ORDERED.

  
Diane Zook, Chair  
Arkansas State Board of Education