

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION  
JANUARY 12, 2017**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER  
IN RE KURT RANDALL ZIMMERMAN, PLSB CASE NO. 17-032**

At its regular meeting on January 12, 2017, the Arkansas State Board of Education (Board) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee (Ethics Subcommittee) for disciplinary action against the teaching license of Kurt Randall Zimmerman (Educator Zimmerman). Based upon Educator Zimmerman's consent to the Ethics Subcommittee's recommendation and the evidence presented, in accordance with the Administrative Procedures Act, Ark. Code Ann. 25-15-101 et seq., the Board hereby states as follows:

**I. Findings of Fact:**

- a. The Arkansas Department of Education issued Educator Zimmerman a standard five-year teaching license on January, 2014, valid until December 31, 2018.
- b. The Ethics Subcommittee received an allegation that Educator Zimmerman violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators (Code of Ethics) promulgated pursuant to Ark. Code Ann. § § 6-17-422 and 6-17-428.
- c. On July 11, 2016, the Ethics Subcommittee authorized an investigation into allegations that Educator Zimmerman violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On July 22, 2016, Educator Zimmerman was notified of the Ethics Subcommittee's authorization to investigate this allegation.

e. After considering the investigator's report and evidence on November 7, 2016, the Ethics Subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 1 in that Educator Zimmerman:

- Kissed a student on the cheek.

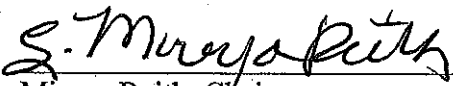
The Ethics Subcommittee recommended that the Board issue Educator Zimmerman a written warning, require Educator Zimmerman to complete training through the ArkansasIDEAS online portal, specifically IAD14492 *Classroom Management: Building effective Relationships* (11 hours), and provide a written reflection to the PLSB office. Training and written reflection to be completed within thirty (30) days of this Order, and all costs paid by Educator Zimmerman.

- f. Educator Zimmerman was notified of the Ethics Subcommittee's reasonable belief determination and recommendation on November 15, 2016, by certified and regular mail.
- g. Educator Zimmerman received the Ethics Subcommittee's recommendation on November 22, 2016, and accepted the Ethics Subcommittee's recommendation on November 22, 2016, thereby waiving his right to any further notice or hearing or any other rights he might have under the Administrative Procedure Act including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.
- h. At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

**II. Conclusions of Law:**

- a. Upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Code of Ethics, the Board adopts the recommendations of the Ethics Subcommittee.
- b. Accordingly, the Board admonishes Educator Zimmerman for his violation of the Code of Ethics, issues a written warning, and requires completion of the training and written reflection as set forth above.
- c. Educator Zimmerman is cautioned that further violations of the Code of Ethics may result in more severe discipline, including permanent revocation of his license.
- d. This order shall remain for two (2) years in his professional licensure file, but shall remain permanently in the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.

  
Mireya Reith, Chair  
Arkansas State Board of Education