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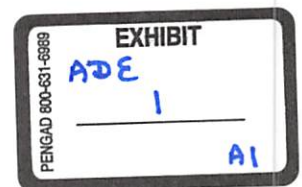
A-1: ZACHARY NIDIFFER

ADE EXHIBITS 1 - 5

Ark Code Ann. § 6-17-410

(c) The state board shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of any person who has a true report in the Child Maltreatment Central Registry or has pled guilty or nolo contendere to or has been found guilty of any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:

(15) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205, or endangering the welfare of a minor in the second degree as prohibited by § 5-27-206;



State of Arkansas

EDUCATOR LICENSE

By virtue of the authority vested in the Arkansas State Board of Education, we hereby issue this Educator License to

ZACHARY ALLEN NIDIFFER

This is to certify that person name hereon is licensed under the laws of Arkansas to teach or serve in the public schools in the capacity indicated.

CID: 10072638

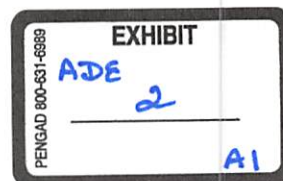
MASTERS

Code	Area	Type	Grade Level	Valid From	Valid To
166	Eng Lang Arts	Standard	7 - 12	7/29/2016	12/31/2020
258	Special Education	Standard	K - 12	7/29/2016	12/31/2020
417	Driver Education Endorsement	Standard	7 - 12	7/29/2016	12/31/2020
500	P. E. & HEALTH	Standard	K - 12	11/30/2016	12/31/2020



COMMISSIONER OF EDUCATION

MANAGER - EDUCATOR
LICENSURE



Jurisdiction: City of Centerton

Court Session Worksheet
Case #: CR-19-451

Arrestment - City of Centerton
02:00 PM Tuesday, May 14, 2019

Name: **Nidiffer, Zachary A**

DOB: 05/13/76

Ht: 5:10

Race: White

SSN:

Age: 42

Wt: 0

Sex: Male

DL #: AR / 938494040

Home:

Work:

Addr: 531 Spur Ln, Centerton, Arkansas 72719

Employer:

T/P Contract #: Start Date: Freq: Min Amt: Last Pay Date: Pay By Date: Balance: Status:

☐ Defendant: Nidiffer, Zachary A

☒ Defs Atty(P):

☐ Officer(P): Phillips, Matthew

Events: 04/17/19 Charge Document# 3A07651313 filed 04/17/19. Initial Assessment for \$500.00 of Fine; \$100.00 of Cost; Fees of (\$20.00 for City of Centerton and Admin Fee) for Total
Fees of \$40.00; for a Total Amount of \$640.00.
04/17/19 Initially Set for Arraignment on Tue 05/14/19 at 02:00 PM.

Chrg Doc#: 3A07651313 Viol Date: 04/15/19 BAC: 0.000 Speed: 0 / 0 Seatbelt: No Accident: Noopy to the original citation filing Date: 04/17/19
Location: 102, Sienna Comments: I do hereby certify that this is a true and complete copy of the original citation filing Date: 04/17/19 of the Centerton City Court.

Charge: [5-27-206] (1st) Endangering The Welfare of a Minor 2nd Degree

Plea: Find: Disp: Fine: \$ 500.00 Cost: \$ 100.00 Fees: \$ 40.00 Rest: \$ 0.00 Adj: \$ 0.00 Bal: \$ 640.00

Advised Rights: ☐ Advised Of Rights To Attorney, Trial, Appeal, and Penalty for Offense

Waived Rights: ☐ Waives Right To Counsel with Signed Waiver ☐ Plea Statement

☐ Court Appoints Public Defender

☐ Court Provides Interpreter

☐ Enhanced Penalties Explained For Subsequent Offenses

☐ Waives Right To Speedy Trial

☐ Assess Public Defender User Fee of \$

☐ Assess Court Interpreter Fee of \$

Plea: ☒ G ☐ NG ☐ NC

Finding: ☒ G ☐ NG ☐ NP

Disposition: ☒ Finding Entered
☐ Under Advisement
☐ Deferred Adjudication

DM (☐ With ☐ Without) Prejudice DM Reason:
☐ Bond Forfeiture ☐ Probation
☐ 1st Offender Program ☐ Deferred Sentence
☐ Other

☐ Improper Filing
☐ Officer Not Present
☐ Witness Not Present
☐ Other

☐ Lack of Evidence
☐ Lack of Jurisdiction
☐ Merged

Comments:

Judge:

Orders: Fine: \$ 500 / 100 Jail: 30 H-D-M-Y
Cost: \$ 100 Jail Suspended: 30 H-D-M-Y
Restitution: \$ 40 Jail Credit Time Served: H-D-M-Y
Fees: \$ 20 Jail Time To Be Served: ☐ Consecutively
Seat Belt Credit: \$ ☐ Concurrently
Total: \$ 100 S.I.S. - Jail:
S.I.S. - Fine: \$ H-D-M-Y

D.L. Susp: H-D-M-Y
D.D. School: H-D-M-Y
D.W.L. School: H-D-M-Y
Comm. Service: H-D-M-Y
Work Program: H-D-M-Y
H-D-M-Y
H-D-M-Y

FTA: ☐
FTA Bond Set At: \$
Cash Bond Only: ☐
Transfer Felon: ☐
Ignition Interlock: ☐
T/P Eligible: ☐

Comments:

Reschedule Date: 1/1/19 Time: 12:00
☐ Per Court ☒ Per Defense ☐ Per Prosecution

Type: ☒ Arraignment ☐ Bench Trial ☐ Jury Trial ☐ Review Hearing
☒ Show Cause ☐ Sentencing ☒ Disc ☐ Hearing

PENGAD 800-631-6989

EXHIBIT
ADE 3
A1



Arkansas Department of Education

Transforming Arkansas to lead the nation in student-focused education

AELS CID: 10072638

02/28/2020

PERSONAL AND CONFIDENTIAL

Zachary A. Nidiffer
[REDACTED]

**VIA FIRST CLASS AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED NO.:** [REDACTED]

Re: Criminal Background Check

Dear Mr. Nidiffer:

The Arkansas Department of Education has reviewed your background checks required under Ark. Code Ann. § 6-17-410 and § 6-17-411 as a condition of your licensure or employment with an educational entity.

Your background check revealed the disqualifying offense identified below.

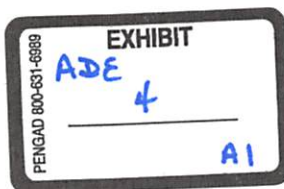
Date: 04/16/2019
Offense: (MA) ENDANGERING WELFARE OF MINOR-2ND DEG
Agency: CENTERTON POLICE DEPARTMENT

Therefore, the Department will recommend that the State Board of Education deny your eligibility for licensure and employment in a local education agency or school district.

You have the right to challenge or complete the accuracy of the information in the record. You must contact this office within fourteen (14) days of the date of this letter if you intend to challenge a record, or wish to provide this office with additional information about the disposition of the disqualifying offense(s).

Failure to contact us or provide this information within fourteen (14) days of the date of this letter may result in denial of your licensure and disqualify you for employment in an educational entity.

You are entitled to a hearing in front of the State Board of Education regarding denial of your license. Ark. Code Ann. § 6-17-410(f) authorizes the State Board to grant waivers of the licensure eligibility provisions of § 6-17-410(c) upon request of an affected applicant for licensure. To request a hearing for a waiver of the disqualifying offense, you must submit your



written request to this office, by mail or by email, within thirty (30) days of the date of this letter.

State Board of Education meetings occur once a month and are available to the public through live video-streaming. A request to be placed on the agenda must be received not less than three weeks before the meeting date. The Board meets in the Auditorium of the Arkansas Department of Education –Arch Ford Education Building, Four Capitol Mall, Little Rock. Meeting dates may be found at: http://www.arkansased.org/events/event_categories/state-board-of-education

The circumstances that the State Board may consider includes, but is not limited to:

- The age at which the crime or incident was committed
- The circumstances surrounding the crime or incident
- The length of time since the crime or incident
- Subsequent work history
- Employment references
- Character references
- Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.

If you request a hearing, you will be asked to provide to this office a written statement and any supporting documents that at a minimum address those considerations, including the names and phone numbers of persons who may verify information contained in your statement or documentation.

You may obtain information concerning the disqualifying offense or schedule a hearing to request a waiver from the State Board of Education by contacting Jennifer Link, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201, (501) 682-1958; or by email at: Jennifer.Link@arkansas.gov.

Sincerely,

/s/ Jennifer Link

Jennifer Link, Attorney

Enclosures: How to Obtain Further Information or Correct a Record
Noncriminal Justice Applicant's Privacy Rights
8 CFR § 16.34
Requesting a Waiver



Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

AELS CID: 10072638

Johnny Key
Secretary

March 26, 2020

PERSONAL & CONFIDENTIAL

State Board
of Education

Zachary Nidiffer

Diane Zook
Melbourne
Chair

Charisse Dean
Little Rock
Vice Chair

VIA EMAIL

RE: License Revocation for Disqualifying Offense

Susan Chambers
Bella Vista

Dear Mr. Nidiffer:

Dr. Fitz Hill
Little Rock

Kathy McFetridge
Springdale

Dr. Sarah Moore
Stuttgart

Ouida Newton
Poyen

Per your request, the hearing will be held on May 14, 2020, to determine whether to revoke your license. The State Board has the final decision in the matter and the recommendation could remain the same, be lowered, or the matter could be dismissed. The State Board meets at 10:00 a.m. in the Auditorium of the Arkansas Department of Education – Arch Ford Education Building, Four Capitol Mall, in Little Rock. The time at which agenda items are heard is within the State Board's discretion, therefore I cannot provide a specific time. However, you will be able to view the agenda on the Divisions website once it is published

Chad Pekron
Bryant

If you have any questions, please feel free to contact Ms. Jennifer Link at (501) 682-5729, or email at jennifer.link@arkansas.gov

R. Brett Williamson
El Dorado

Sincerely,

Jennifer Link, Attorney
Licensure Attorney

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.gov

*An Equal
Opportunity
Employer*



C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
 COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter and Notary Public, before whom the foregoing proceedings was taken via livestream (due to Covid-19), do hereby certify that the same is a true and correct transcription before the Arkansas Division of Elementary and Secondary Education, State Board of Education, in Little Rock, Arkansas, on May 14, 2020, that the said proceedings was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all proceedings had in said matter to the best of my ability.

I FURTHER CERTIFY that I am neither counsel for, related to, nor employed by any of the parties to this action.

I FURTHER CERTIFY that I have no contract with any parties within this action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial agency, or that requires me to provide any service not made available to all parties to the action.

WITNESS, MY HAND AND SEAL, THIS DATE: May 20, 2020.



Sharon K. Hill

SHARON K. HILL, CCR
 Certified Court Reporter
 Certificate No. 670

