

**Blake Lyons  
Formal Reprimand**

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**The Background:**

*Prior History:* N/A

*Facts:* Mr. Lyons was reported by Northwest High School, part of the Clarksville-Montgomery school system, for negligence in commission of his duties as an educator that did not result in harm. Mr. Lyons sent an email disclosing protected student information and discussing students in a disparaging manner to individuals with no legal right to access the protected information.

Mr. Lyons received a letter of reprimand and was given a one (1) day suspension without pay.

*Applicable*

*Law/Rule:* 0520-02-03-.09(1)(c) defines “Formal Reprimand” as a less harsh licensing action than the suspension, revocation, or denial of a license, which admonishes an educator for certain conduct under this rule. An educator who has been reprimanded by the State Board of Education (“State Board”) under this Rule shall receive a letter from the State Board, which shall become part of the educator’s state record and may become part of the educator’s local record, indicating that the inappropriate conduct is discouraged and shall be subject to further disciplinary action if repeated.

0520-02-03-.09(1)(h) defines “Negligence” as failure to exercise the care toward others that a reasonable or prudent person would exercise under the circumstances or taking action that a reasonable person would not. Examples of such negligence include, but are not limited to, situations that expose students to mental or physical harm or the potential for mental or physical harm such as leaving dangerous items in the classroom or in areas easily accessible to students and leaving students unattended.

0520-02-03-.09(1)(k) defines “Other Good Cause” as conduct that calls into question the fitness of an educator to hold a license including, but not limited to, violation of any provision in the Teacher Code of Ethics as contained in T.C.A. §§ 49- 5-1001, et seq.

0520-02-03-.09(3)(i) provides that the State Board of Education may revoke, suspend, formally reprimand, or refuse to issue or renew an educator’s license for Other good cause as defined in subparagraph (1)(k) of this rule.

0520-02-03-.09(5)(a)(4)(i) provides an individual holding an educator’s license who is found to be negligent in his or her commission of duties as an educator in such a manner

that does not result in harm to a child, but presented the potential for physical or mental harm, shall be subject to a disciplinary action within the range of a letter of formal reprimand up to and including a two (2) year suspension.

0520-02-03-.09(5)(a)(9) provides that an individual holding an educator's license who is found to have violated the Teacher Code of Ethics contained in T.C.A. Title 49, Chapter 5, Part 10 shall be subject to a disciplinary action within the range of a formal reprimand up to and including revocation.

T.C.A. § 49-5-1003(b)(1) provides that educators shall abide by all applicable federal and state laws.

T.C.A. § 49-5-1003(b)(3) provides that in fulfillment of this obligation to the student, an educator shall provide the student with professional education services in a nondiscriminatory manner and in consonance with accepted best practices known to the educator.

T.C.A. § 49-5-1003(b)(8) provides that in fulfillment of this obligation to the student, an educator shall make reasonable effort to protect the emotional well-being of the student.

T.C.A. § 49-5-1003(b)(9) provides that in fulfillment of this obligation to the student, an educator shall not intentionally expose the student to embarrassment or disparagement.

T.C.A. § 49-5-1003(b)(12) provides that in fulfillment of this obligation to the student, an educator shall not disclose information about the student obtained in the course of the educator's professional service, unless disclosure of the information is permitted, serves a compelling professional purpose, or is required by law.

T.C.A. § 49-5-1003(b)(19) provides that in fulfillment of this obligation to the student, an educator shall maintain a professional approach with the student at all times.

T.C.A. § 49-5-1004(c)(2) provides that in fulfillment of this obligation to the profession, educators shall conduct themselves in a manner that preserves the dignity and integrity of the education profession.

T.C.A. § 10-7-504(4)(A) provides, in part, that the "records of students in public educational institutions shall be treated as confidential. Information in such records relating to academic performance, financial status of a student or the student's parent or guardian, medical or psychological treatment or testing shall not be made available to unauthorized personnel of the institution or to the public or any agency, except those agencies authorized by the educational institution to conduct specific research or otherwise authorized by the governing board of the institution, without the consent of the student involved or the parent or guardian of a minor student attending any institution of elementary or secondary education, except as otherwise provided by law or regulation pursuant thereto, and except in consequence of due legal process or in cases when the safety of persons or property is involved. . . Statistical information not identified with a particular student may be released to any person, agency, or the public; and information relating only to an individual student's name, age, address, dates of

attendance, grade levels completed, class placement and academic degrees awarded may likewise be disclosed.”

*Status:* Respondent was notified by certified mail of the Board’s intent to **formally reprimand** Respondent’s educator license based upon these findings. Respondent received said notice and agreed to the formal reprimand of Respondent’s license.

**Board Action Consistency Considerations:**

N/A

**The Recommendation:**

Board counsel recommends the Board approve the signed Consent Order submitted by the Respondent for a formal reprimand of Respondent’s license based upon the facts and applicable rules noted above.