

**BEFORE THE TENNESSEE STATE BOARD OF EDUCATION**

**IN THE MATTER OF:** )  
 )  
**KELLY E. JOHNSTON** ) **License No. 000599094**  
 )

**CONSENT ORDER**

By agreement of the Tennessee State Board of Education (“Board”) and Kelly E. Johnston (“Respondent”), this matter is disposed of, pursuant to Board Rule 0520-02-03-.09(3) as follows:

**FINDINGS OF FACT**

1. At all times pertinent hereto, Respondent was a licensed educator in the State of Tennessee.
2. Lebanon Special School District reported that, during the 2019-2020 school year, Respondent failed a drug screen when she tested positive for the illegal drug (marijuana) on December 12, 2019.

**CONCLUSIONS OF LAW**

Respondent’s conduct constitutes grounds for suspension of her license pursuant to Board Rule 0520-02-03-.09(3)(c), (3)(g), (3)(h), (5)(a)(2), and (5)(a)(8).

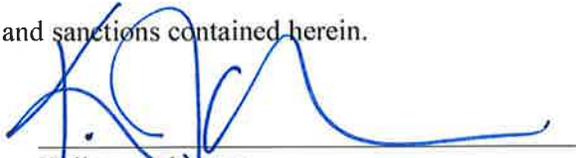
**ORDER**

The Tennessee State Board of Education hereby orders, and Respondent agrees to the following:

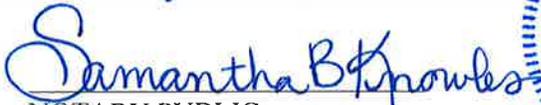
1. **Respondent’s Tennessee educator license shall be suspended for two (2) years, from the effective date of this Order.**
2. During the period of suspension, Respondent shall not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher or in any other position in a public school in the State of Tennessee.
3. During the period of suspension, Respondent shall take any courses necessary and pay any fees necessary to maintain a current educator license.
4. Respondent’s license shall be reinstated contingent upon proof of completion of a drug treatment program being provided to the Board.
5. Approval of this Consent Order by the Board shall in no way be construed as condoning the Respondent’s conduct and shall not be construed as a waiver of any of the lawful rights possessed by the Board.
6. This Consent Order shall not become effective until approved by the Board, and Respondent understands that this Consent Order will not become effective until approved by the Board.

7. Respondent must always answer affirmatively to the question on licensure applications regarding having been suspended, denied, or revoked.
8. Respondent acknowledges that she has read this Consent Order and that she understands its contents.
9. Respondent understands that there is a right to a hearing in this matter, and Respondent knowingly and voluntarily waives such right by entering into this Consent Order.
10. Respondent further understands and agrees that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order.
11. Respondent further understands that this Consent Order, once approved, shall constitute a public record that may be disseminated as a disciplinary action of the Board, which includes, but is not limited to reporting this action to the National Association of State Directors of Teacher Educator and Certification ("NASDTEC") and posting on the Board website pursuant to Tenn. Code Ann. §§ 49-1-302(p), (q).
12. If this Consent Order is not approved by the Board, it shall not constitute an admission against interest in this proceeding, or prejudice the ability of the Board to adjudicate this matter.
13. The Respondent hereby consents to the terms and sanctions contained herein.

CONSENTED TO:

  
\_\_\_\_\_  
Kelly E. Johnston  
Respondent

Sworn to and subscribed  
before me this 21 day  
of May 21, 2020.

  
NOTARY PUBLIC  
My commission expires: 08.17.2021



Approved by the Board this 24<sup>th</sup> day of July, 2020.

TENNESSEE STATE BOARD OF  
EDUCATION

BY:   
Lillian Hartgrove, Chair

ATTEST:   
Sara Morrison, Executive Director

Sworn to and subscribed before me this 24<sup>th</sup> day of July, 2020.



\_\_\_\_\_  
NOTARY PUBLIC

After entry, a copy of this Order will be mailed to Respondent's last known address:

Kelly Johnston  
1808 Pocahontas Trail  
Lebanon, TN 37087