



IN THE MATTER OF THE *TEACHERS ACT*, SBC 2011 c. 19

AND

IN THE MATTER CONCERNING

ELAINE JOY FRASER



SUMMARY OF CONSENT RESOLUTION AGREEMENT

This summary is published under section 54(3) of the Teachers Act to protect the identity of a student who was harmed, abused or exploited by the Teacher.

1. Fraser holds a valid Professional Certificate of Qualification, No. [REDACTED]. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on October 2, 1989, is valid from September 1, 1989, and was continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Fraser was employed as an elementary school teacher by a School District in B.C. (the “District”).
3. On August 16, 2022, the parents of Student A made a complaint to the Commissioner under the *Teachers Act*.
4. The following events occurred in the 2021/2022 school year when Fraser was teaching an elementary school class:
 - a. Student A was one of Fraser’s students. Fraser made a demeaning comment to Student A in front of Student A’s classmates and made a point of rewarding Student A’s classmates, to the exclusion of Student A, in response to Student A’s conduct. Student A reported feeling hurt by this.
5. On March 11, 2022, the District issued Fraser a letter of expectation in which she was reminded of the District’s expectation that she carry out her duties in a manner that fosters the emotional safety of her students and demonstrates that diversity in her classroom is valued. She was also advised to create a plan to support her teaching and to review the

District's Employee Standards of Conduct, the District's Tier 1 Matrix and the *Professional Standards for BC Educators*.

6. The District had previously raised concerns with Fraser as follows:
 - a. On November 3, 2009, the District issued Fraser a written reprimand following allegations that she had hit a student with a textbook.
 - b. On June 18, 2010, the District issued Fraser a written reprimand following allegations that she had nudged a student on the back of his leg with her foot to get the student's attention, and that she had extended her leg causing the student to run into it. It was also alleged that Fraser would yell at students and tell them to "shut up". The District directed Fraser to refrain from having any inappropriate physical contact with students and telling students to "shut up".
7. On January 5, 2023, the Commissioner ordered an investigation under section 47(1) of the *Teachers Act*.
8. On **June 26, 2023** Fraser entered into a consent resolution agreement with the Commissioner, in which Fraser admitted that the conduct set out in paragraph 4 constitutes professional misconduct and is contrary to Standard #1 of the *Professional Standards for BC Educators* (June 2019).
9. In the consent resolution agreement, Fraser agreed to a reprimand under sections 53 and 64(a) of the *Teachers Act* and also to a requirement that she complete the course, *Creating a Positive Learning Environment* through the Justice Institute of BC by March 31, 2024, under sections 64(f) and (h) of the *Teachers Act*.
10. In determining that a reprimand and course requirement are appropriate consequences, the Commissioner considered the following factors:
 - a. Fraser failed to create a positive learning environment for students when she did not treat Student A with dignity and respect.
 - b. Fraser failed to model appropriate behaviour expected of an educator.
 - c. Student A was particularly vulnerable due to a unique learning profile.
11. Fraser agreed that she will not make any statement orally or in writing which contradicts, disputes or calls into question the terms of the consent resolution agreement or the admissions made in it.