



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

**AND**

**IN THE MATTER CONCERNING**

**BENJAMIN JOSEPH FREEMAN**



**SUMMARY OF CONSENT RESOLUTION AGREEMENT**

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

1. Freeman holds a valid Professional Certificate of Qualification. It was issued by the Director of Certification under the *Teachers Act* on November 16, 2012, and is valid from November 16, 2012.
2. At all material times, Freeman was employed as an elementary school teacher by a School District in B.C. (the “District”).
3. On March 15, 2022, the District made a report to the Commissioner about Freeman, under section 16 of the *School Act*.
4. The following events occurred when Freeman was teaching in the 2021/2022 school year:
  - a. Freeman frequently yelled at Student A, sometimes while towering over Student A and slamming his fists repeatedly on Student A’s desk. Freeman also spoke to Student A disrespectfully.
  - b. Freeman went into Student B’s classroom where Student B was seated at a desk. Freeman yelled at Student B while towering over Student B, knocked Student B’s hat off and grabbed a bag of food out of Student B’s hands.
5. On February 11, 2022, the District issued Freeman a letter of direction in respect of the conduct set out at paragraph 4(a).

6. On February 11, 2022, the District issued Freeman a letter of discipline in respect of the conduct set out at paragraph 4(b) and suspended him without pay for three days. Freeman served the suspension from March 15 to March 17, 2022, inclusive.
7. Following the allegations which gave rise to the February 11, 2022, letter of direction and letter of discipline, Freeman:
  - a. raised his voice at one student in January 2022, and yelled at another student in April 2022;
  - b. made insensitive comments to one student's parents about their child who had a diagnosis; and
  - c. got angry at a student with a diagnosis when the student forgot their homework at the School and their parent asked that it be emailed home.
8. The District had previously raised concerns with Freeman as follows:
  - a. On October 25, 2018, the School principal met with Freeman to discuss concerns raised by some parents regarding Freeman yelling at students in his class. Freeman was told to be mindful of his tone.
  - b. On November 23, 2018, the School principal and vice principal met with Freeman to discuss his being hands on with a student. Freeman was reminded that he must not have hands on students unless there is a safety concern. He was also told that parents were still raising concerns about Freeman yelling at students.
  - c. On January 11, 2019, the School principal met with Freeman to discuss concerns raised by a parent about Freeman yelling and engaging in disrespectful communication with students. On January 18, 2019, the District followed up this discussion with an email in which Freeman was reminded to be mindful of what he says and how he sounds when addressing students.
  - d. On January 29, 2019, the School principal and School counsellor met with Freeman to discuss a parent's concern that Freeman was yelling at her child in class.
  - e. On October 4, 2019, the School principal met with and emailed Freeman following concerns raised by a parent. In her email, the principal outlined her expectations going forward and reminding Freeman to be mindful of his communication style with students, including his tone and expression.
  - f. On October 28, 2019, the School principal met with Freeman to discuss concerns

about how he communicates with students.

- g. On January 14, 2020, the District issued Freeman a letter of direction in which he was reminded to use respectful language and tone (both written and oral) when speaking with and referring to students. He was also reminded of his obligation to review and be knowledgeable about students in his class who have an IEP.
  - h. On February 19, 2021, the School principal and vice principal met with Freeman reminding him not to be hands on with students unless they are in immediate danger.
9. On January 27, 2025, Freeman entered into a consent resolution agreement with the Commissioner, in which Freeman admitted that the conduct set out in paragraphs 4 and 7 constitutes professional misconduct under section 63 of the *Teachers Act* and is contrary to Standard #1 of the *Professional Standards for BC Educators* (June 2019).
10. In the consent resolution agreement, Freeman agreed to:
- a. a three-day suspension of his certificate of qualification under sections 64(f) and (h) of the *Teachers Act*; and
  - b. complete the course, *Foundations of Collaborative Conflict Resolution*, through the Justice Institute of B.C., by March 31, 2025, under sections 64(f) and (h) of the *Teachers Act*.
11. In determining that a three-day suspension and course requirement are appropriate consequences, the Commissioner considered the following factors:
- a. Freeman’s conduct was frightening to students who were in elementary school.
  - b. Freeman failed to consistently foster a learning environment that is emotionally, psychologically, and physically safe.
  - c. Freeman engaged in repeated inappropriate conduct of a similar nature.
12. Freeman agreed that he 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.