

Civil Rights In Public Education, Inc.

All human beings are born free and equal in dignity and rights

UNIVERSAL DECLARATION OF HUMAN RIGHTS

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Roman Catholic separate school propaganda publication contains misinformation.

<http://www.hcdsb.org/news/2010%2005/FACEBrochureinWord-HCDSBFINAL.pdf>

Propaganda distributed

A publication of the Ontario Catholic School Trustees' Association, (OCSTA) the Ontario English Catholic Teachers' Association (OECTA) and the Catholic Dioceses of Ontario, in the form of a three-fold pamphlet, was recently distributed to parents of separate school students, by the students. The content is obviously meant to justify the public funding of the separate system, goes to great lengths to do so, and crosses the line of truth in some statements. As such, it begs comment.

The heading of the pamphlet is "**168 years of success ONTARIO'S CATHOLIC SCHOOLS An integral part of public education**".

Portions quoted from the text of the pamphlet will appear in arial font. Comments will follow the quotes in Times New Roman font, separated by horizontal lines.

A History of Success

ONTARIO'S CATHOLIC SCHOOLS go back as far as the 1600s. A formal system was established in 1841, and the Scott Act of 1863 gave the Catholic community the right to establish and operate publicly-funded Catholic schools.

While much could be said about history, it is important to note the circumstances around acts of the common legislature for Upper Canada (Ont.) and Lower Canada (Que.) - 1841-67. Representatives of both Ontario and Quebec sat in this common legislature and could pass bills which affected both provinces, or only one. The Tache Act of 1855 and the Scott Act of 1863 gave considerable privilege to Roman Catholic separate schools in Ontario, both acts applied

only to Ontario, and both were passed on the strength of Quebec (Roman Catholic) votes in the legislature common to both Upper and Lower Canada at the time.

Therefore, Roman Catholics, being a majority, voted themselves considerable school privileges in Ontario.

The population of Ontario has never voted in favour of privileges for Roman Catholic separate schools – they were foisted on Ontario by Roman Catholic legislators, mostly from Quebec.

Distinctly different

ONTARIO'S CATHOLIC EDUCATION system is not a duplicate of other systems. While it adheres to Ministry of Education requirements, it does so from a Catholic perspective....

True. The main difference is that all citizens help pay for the indoctrination of children in the Roman Catholic faith, and every community that has a Roman Catholic separate school is infected with the religious discrimination and the social divisiveness that goes with it.

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The system works

DIRECTLY SUPPORTED by 2.4 million ratepayers, Ontario's English and French Catholic schools annually educate approximately 670,000 students – a third of all students in the province.

“Directly supported”? These words, followed by “ratepayer”, give the impression that the Roman Catholic municipal ratepayers supply the total funding for the separate system. If this is what is meant, it is totally untrue. See CRIPE newsletter for Spring 2004, pages 5 & 6. All taxpayers in Ontario contribute to the capital and operating costs of the Roman Catholic separate schools.

Challenging Times: In recent years, there has been growing discussion around the funding of faith-based education. Despite its long-standing history of academic excellence and contributions to Ontario society, the funding of Catholic education has been drawn into this debate.

This is because there are other private schools and private religious schools which also “have a longstanding history of academic excellence” and they receive no public funds whatsoever.

Contributions to Ontario society? What can one point to as a net benefit to Ontario society? The religious discrimination with regard to student admissions and teacher employment in the separate schools is a social disgrace. Better to benefit Ontario society

through the transfer of the dollar costs to health care and hospitals.

The 2007 Ontario election campaign was a particular focal point, in some areas re-invigorating the efforts of interest groups that want to end public funding for Catholic schools in Ontario.

They feel our presence.

These detractors miss a crucial point: Catholic education is an integral part of Ontario society. It has deep roots throughout the province's history and culture - as much as any other institution. Catholic education is built on a strong foundation supported by parents, students, teachers, administrators, religious sisters and brothers, the clergy and the community. It is a proven success.

The “strong foundation” also includes money from our pockets, and that is the reason separate-school supporters go to great lengths to try to maintain the public funding.

Can this Christian denomination not support itself as do all other Christian denominations and other religions – all of which are minorities compared to the Roman Catholics?

There is simply no good reason to destroy a system that is working so well.

This is a bold admission that, when public funding is removed

from the Roman Catholic separate school system, there will be no interest among the Roman Catholic population to pay for the separate schools themselves.

Nonetheless, it is important to be vigilant and to refute these renewed attacks. Following are responses to some of the arguments critics have used to try and end funding for Catholic schools in Ontario.

Fairness: Some contend it is unfair for only one faith to have publicly funded schools. Historically, Ontario's Catholic education system was established in fairness to Catholics, a religious minority in this province.

See column two, page one and note that being a majority had more to do with privilege than any “fairness”. There were other religions in Ontario in a more fragile position than Roman Catholics; no “fairness” applied to them. Let us remember that the RC church obtained its privilege in Ontario through devious political moves just before Confederation.

If there were any “fairness” in the Constitution Act, 1867 it was the clause that forced Quebec to give the same privilege to Protestants in Quebec that Roman Catholics voted themselves in Ontario. [Section 93(2) of the Constitution. Page 3, column 3.]

In 1867, the British North America Act guaranteed that all educational rights held by minorities at the time of Confederation would be constitu-

tionally protected. Without this protection of denominational schools, Confederation would not have been achieved, and the Supreme Court of Canada has upheld this pillar of our nation.

Quebec removed its obligation to be fair to Protestants in 1997 through a constitutional change. [See Friends of Public Education in Ontario, Inc. newsletter for Winter 1998.] Constitutional protection was no advantage to Quebec Protestants. Ontario RCs now bask in a unique political and financial privilege condemned by the U.N.

Whether other faiths should receive public education funding is a matter of public policy debate. Governments of all political stripes, for various reasons, have decided against it.

See “the lobbying game”, CRIPE newsletter for Winter 2010, Issue # 102. Also, from the RC trustees’ website under “Government relations”: “OCS TA is a powerful lobby for Catholic education. We monitor government activity, contribute to the decision-making process, liaise with all provincial political parties, and respond to issues affecting Catholic education.”

It is true that OCSTA is a “powerful lobby” for separate schools because of the **majority position** of Roman Catholics in Ontario. No other faith group has the lobbying power, the need, or the desire to lean on the

government for public funds to support their mission – or their membership numbers.

At the same time, Ontario governments throughout the history of the province have recognized not just the legal rights of the publicly-funded Catholic education system to continue, but the merits of keeping it in place.

“Legal rights” didn’t protect Quebec’s Protestants, but Ontario has an over-riding legal imperative to terminate the public funding on a human rights basis. Section 93(3) of the constitution allows this, only the political will of Ontario politicians to do it, remains.

Other provinces: Catholic schools are fully or partially funded in six other Canadian provinces. Education is a provincial jurisdiction, and school governance in each province is unique - including Ontario, where the history, commitment and support for Catholic education is unlike any other.

True. Yes, the “...support for Catholic education is unlike any other”, so unlike any other that no democratic jurisdiction in the world can match Ontario’s systemic government discrimination on such a large scale. Nothing to be proud of.

Two provinces in particular are often cited as moving away from Catholic schools. Quebec changed its system to a language-based model in 1997, to reflect that province’s linguistic and cultural reality (which is far different from Ontario’s).

Very different from Ontario – yes, but very much tied to one of the main reasons why public funding for the Roman Catholic separate system should be abolished.

Separate-school supporters make a big deal out of the confederation bargain which they now say can’t be broken. Part of this bargain is that religious privileges granted to the separate schools before confederation must be preserved into the future until such time as the province decides otherwise.

Because of the privileges granted to the Roman Catholics in Ontario at Confederation, Ontarians, presumably in exchange for the privilege, insisted the same be applied to the Protestants in Quebec. We thus have section 93(2) in the Constitution, which reads:

(2) All the Powers, Privileges, and Duties at the Union by Law conferred and imposed in Upper Canada on the Separate Schools and School Trustees of the Queen’s Roman Catholic Subjects shall be and the same are hereby extended to the Dissident Schools of the Queen’s Protestant and Roman Catholic Subjects in Quebec.

As we all know, Quebec broke this bargain on November 18, 1997 when its proposed constitutional amendment to move to a secular, language-based school

system was passed by the House of Commons. See Friends of Public Education in Ontario, Inc. newsletter for Winter 1998.

The Roman Catholic separate school system in Ontario is the only publicly-funded religious school system remaining in both Ontario and Quebec. Why? Ontario's religious and cultural reality is much different than in 1867.

With only 22% of Quebecers in support of eliminating their denominational and dissentient schools, Quebec politicians were adamant – at every stage – that all Quebecers should be treated equally. Quite a contrast with Ontario, and therein lies the difference. See CRIPE newsletter for Summer – Fall 2008, #97 titled “Quebec’s new secular school system”.

In Newfoundland and Labrador, a 1997 referendum supported a single education system to replace the historical model of a myriad of denominational schools.

The Newfoundland & Labrador's publicly-funded denominational school system was eliminated because it was “rife with discrimination”, cost “taxpayers \$77 million a year out of a \$420 million annual budget” and contributed to “an astounding (illiteracy rate) of 44%” See Friends of Public Education in Ontario, Inc newsletters for February 1990, Fall 1992, Winter 1994, Summer 1995, Summer 1997 and Winter 1998.

In both instances, the circumstances were dramatically dif-

ferent from Ontario, and should not be compared.

There were, indeed, many similarities with Ontario, primarily: religious discrimination, excess costs related to inefficiencies, and social divisiveness inherent when certain groups are privileged above others. All of the above apply to Ontario, any one of which is sufficient to argue for change to build social peace, fiscal responsibility, and harmony across the land.

United Nations: In opposing Catholic education, some critics say the United Nations has called Ontario's funding system “discriminatory.” In fact, the U.N. has not made such a ruling. It was the opinion of members of one committee, and never moved beyond that committee.

The above statement represents either total ignorance or a devious interpretation of the way the UN system works, and represents **the most blatant error in this whole pamphlet.** The record is clear. The United Nations Human Rights Committee ruled on November 5th, 1999 that “...if a state party (Canada) chooses to provide public funding to religious schools, it should make this funding available without discrimination.” “...the facts before it (the Committee) disclose a violation of article 26 of the Covenant” (the International Covenant on Civil and Political Rights). “The Committee wishes to receive from the State party (Canada), within

ninety days, information about the measures taken to give effect to the Committee's views.”

After the Human Rights Committee has presented its “views” and communicated that to the State party (Canada), its job is finished. The “ball” is then placed in Canada's court.

The UN General Assembly has no part in this. The Committee did its job, the condemnation against Canada was issued, the Committee then proceeds to the next file in its docket.

Both the Canadian and Ontario governments responded to the opinion, strongly defending the existing system. Notably, the matter has not been pursued by the U.N. or any member government.

Canada's defence was composed of two volumes, one volume 1-1/4 inches thick and the other volume 1-1/2 inches thick, to no avail. “...the Committee rejects the State party's argument that the preferential treatment of Roman Catholic schools is nondiscriminatory because of its Constitutional obligation.”

With regard to the statement that: **the “matter has not been pursued by the U.N.”** the Committee renewed its call in November of 2005 for Canada to abide by the provisions of the International Covenant on Civil and Political Rights which both Canada and Ontario pledged to uphold.

True, neither the federal nor the provincial government has taken any action to comply with the

United Nations' order for a resolution to the offence. We therefore have no basis on which to criticize other nations for breaches of international law.

Shame on Canada and Ontario for their total abdication of a responsibility to abide by our much taunted Canadian Charter of Rights and Freedoms and a responsibility to abide by the International Covenant on Civil and Political Rights to which each has pledged allegiance on the international stage. Such a performance is akin to third-world governments which Canada often freely criticizes.

Financial savings:

The notion that creating a single education system in Ontario would save money is unfounded.

Not true. When the transfer of full public funding to the separate schools started, the extra provincial cost was calculated by the government and given to each school board. Figures obtained from the Renfrew County Public School Board in 1990 showed that the extra provincial annual operating costs for the two systems was \$211.4 million. At some point the government stopped releasing the extra cost per year, presumably because it was so high as to be embarrassing. Today those cost figures are impossible to obtain notwithstanding the access to information provisions.

The reason? If the total amount were known by the public, the government would be unable to resist the call to eliminate the full

funding of the discriminatory Roman Catholic separate school system.

If, on the other hand, there were no significant extra costs, the government would disclose such an insignificant amount to silence criticism of extra annual costs to maintain the funding.

From the Standing Committee on Public Accounts: With regard to extra costs: "Although some of these costs would have been assumed by public boards if separate school funding had not been extended, there has been a significant added cost to Ontario taxpayers to fund two parallel systems with the inevitable overlap and duplication that results."

As amalgamation in the education, municipal and health sectors has demonstrated, bigger is not necessarily better or more efficient.

In fact, trying to amalgamate into a single system would cost more money - not to mention time - to sort out the complex details.

Past amalgamations in the education, municipal and health sectors were amalgamations of services which had previously covered **adjoining** geographical areas. The elimination of duplicate services in the **same geographical area** is much different.

There is inherent simplicity and economy in one bus route to one public school in urban areas, in one public school building in small communities instead of two, and in one overall administration.

Simplicity, economy, and common sense go hand in hand.

It would also unleash a period of great upheaval for students, parents, teachers and administrators throughout the education system.

The greatest educational upheaval in Ontario's history occurred when full public funding was introduced by the religious supremacist Liberal government of David Peterson through the infamous Bill 30.

The upheaval was particularly painful for teachers in the public system who were forced to maintain their employment by a transfer to the new separate high schools. See Friends of Public Education in Ontario, Inc. newsletter for Spring 1994, and page 4 of CRIPE newsletter, Fall 2006.

Separate-school supporters were happy enough to see Protestants experience a painful upheaval for their own benefit, but don't seem to relish a lesser inconvenience in order to bring Ontario in line with the Canadian Charter of Rights and Freedoms and international law.

What will happen when all publicly-funded schools become public schools – open to all? There will be an increased ability of students to walk to a neighbourhood school. Bus routes will be simplified. Teachers will no longer be hired or fired on the basis of their religion. There will no longer be any religious discrimination and all children will play and learn together!

Report on the 21st annual CAPSLE conference

This year's conference of the Canadian Association for the Practical Study of Law in Education (CAPSLE) was held at the Hyatt Regency hotel in Calgary on April 25th, 26th & on the morning of the 27th. The conference was listed as being for all those interested in how the law can affect leaders in education, including educators, lawyers, school board officials, board staff, faculty, students, parents and representatives of professional organizations, academia and government. The format consisted of small group presentations and discussions. Of 34 presentations, 19 were done by lawyers, 11 by university professors, 2 from colleges of teachers, one by a trustee, and one by CRIPE, Renton Patterson.

Since the Association is always concerned with rights issues, and the theme of the conference was "The Rocky Road Ahead: Balancing Competing Interests", I made a proposal to present a paper with the title "Competing Interests: How the entanglement of politics, the courts, and a special interest group is affecting human rights in Ontario education". I told the whole story which took up 70 of the 75 minutes allotted.

Most sessions attracted around 20 persons. My presentation was on the morning of the last day - which many attendees skipped - but still attracted 15 persons. Several spoke to me after. The private schools in British Columbia are a problem as are the separate school districts in Alberta and Saskatchewan. Had I known in time of the conference in

Toronto last year, there would have been a better audience for my presentation. Next year the conference is in Newfoundland. The Toronto conference attracted over 500, the Calgary registration was around 330.

The corporate rate for attendance was \$520; individual members were charged \$540 and non-members \$640. Since I was a presenter, I paid no fee. Also, because I combined my attendance with a visit with my daughter and family in Calgary, attendance at the conference cost me nothing. No CRIPE funds were used as none were necessary.

The conference was an opportunity to get our message out, but considering the audience, I would not recommend attending one except when held in Ontario so that Ontario lawyers, trustees, etc. would form a major part of the audience. I was pleased, however, to have had a good discussion with two lawyers. One's position was that we'd never get rid of separate schools because they are so entrenched, but I convinced both that the mechanism was there and so it was possible. Both had to agree, not being able to come up with any legal reason why not.

I will fine tune my presentation to be used as a written story or a speech whenever such an occasion may arise.

Renton Patterson,
CRIPE president

Religious instruction and daycares

Quebec's subsidized \$7-a-day daycares have been the envy of families in other provinces, until now when a system of free day-care/kindergartens is to be introduced in Ontario this Fall.

In Quebec, many Montreal Jewish day schools opted for the low-cost \$7 a day daycares and made no secret of the fact that pre-kindergarten students would be getting an early start on their parochial education.

That was never an issue until mid March 2010 when the Quebec government announced that it will ban religious instruction in provincially-funded daycare centres.

The move was made because while Quebec has made its public school system non-denominational, religion appeared to be slipping back in through the daycare system. There might be problems in about 20 daycare centres, principally Jewish and Islamic.

When the PQ forced a vote on the issue in the National Assembly it passed unanimously. Quebec Family Minister Tony Tomassi announced that: "from now on, religious instruction will no longer be accepted in the daycare network subsidized by the Family Department."

Free daycare/kindergartens will be offered in Ontario, starting this Fall. But following Ontario's present policy of social division through religious discrimination, they will be divided into public and separate schools.

Social division in action, another example of Ontario's current government policy.

CRIPE recently received the message printed below from a concerned teacher. He described a situation, all too typical across Ontario, which adversely affects small communities. We have previously reported on situations in Mattawa and Espanola. This time it's Port Dover, but these situations have happened, and are happening, all across the province.

Port Dover is a town of some 6000 people located on the north shore of Lake Erie, north of Long Point, just south of Renton and about 17 km south-east of Simcoe. The town has a public and a separate elementary school, and Port Dover Composite School.

After obtaining permission from the writer to print his message to us, he asked to add the following preface to his original communication to CRIPE.

I would like to preface this letter with a brief note. I want to be clear that although I disagree with having a publicly-funded Catholic School system in Ontario, I do not begrudge anyone for taking advantage of its existence. And while I may disagree with choosing to send your child to a school other than the one in your local community, I understand the compulsion to do, what is believed to be, the best for you child! It is the decisions made by the Ontario government and the G.E.D.S.B. (Grand Erie District School Board) that I challenge, and not the individual parents!

Hello,

As a longtime resident, graduate, and current teacher at Port Dover Composite School (P.D. C.S.), I find myself looking for answers. In this search for answers I find myself sharing a lot of your views and can't help but think you may be interested in our situation here in Port Dover.

Approximately 9 years ago a Catholic high school (Holy Trinity, H.T.) was built in Simcoe, Ontario, our neighbouring community.

Due to this new school opening, P.D.C.S. lost dozens of students. Parents chose to send their children out of town to this shiny new bastion of education. As a result, P.D.C.S.'s population was severely diminished. The exodus was not limited to students; two of our most capable department heads also chose to leave for the new school, creating a gaping hole in our staff.

Our problems did not end there however. In an attempt to avoid further student loss by Simcoe's public high school the G.E.D.S. B. resorted to some extreme measures. The board, going against its own policy, began providing out-of-boundary busing to Simcoe Composite School. S.C.S.'s principal was also allowed to engage in predatory recruitment practices to bring students from out of boundary schools to S.C.S.. The end result was that P.D.C.S. lost one of its main feeder schools.

The addition of Holy Trinity and the G.E.D.S.B. reactionary responses have placed P.D.C.S.'s numbers bordering on the untenable. As I see dozens of Port Dover children boarding buses each day to attend High School in another town I find myself experiencing a mixture of anger, frustration and a general malaise.

Due to low enrolment numbers P.D.C.S. has been forced to offer limited programming options to its remaining student population. These limited timetable options further hinder our ability to compete with S.C.S. and H.T. Over the better part of the last decade, P.D.C.S. has had a pall hanging over it. With the threat of closure hanging over our heads, it has become increasingly difficult to provide a positive, effective and varied educational experience for our students.

With the G.E.D.S.B. refusing to make any capital investments in our plant due to the tenuous nature of our existence, we find ourselves twisting in the wind while we watch our local students being bused to a neighbouring town. P. D.C.S. is bleeding, Port Dover is bleeding, small town Ontario is bleeding. If this town loses the heart of its community there can be no one else to blame but the Ontario government's insistence on violating my rights as a Canadian citizen.

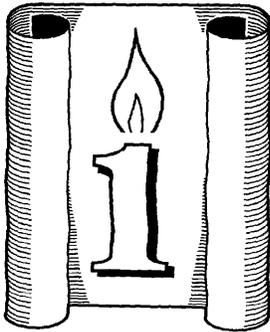
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WHO WE ARE

Civil Rights in Public Education, Inc. is an organization composed of citizens of differing backgrounds, living in more than 155 communities across Ontario, committed to one strong public education system, which offers neither privilege nor prejudice to anyone.

OUR AIMS ARE

- To serve as advocates for civil rights in public education so that the public is informed about the issue of publicly-funded separate schools.
- To hasten the day when Ontario's education policy recognizes the dignity and worth of all children, their right to equality, and their right to freedom from religious discrimination.



OUR LOGO

Our logo is composed of a background scroll representing the charters of rights which guarantee fundamental freedoms to all individuals; the numeral "1" signifies equality and social unity in one public education system for each official language; the flame above is the universal symbol for freedom.

Catholic Trustees Elect New Leadership and Welcome Minister of Education at 80th Annual General Meeting

Minister of Education, the Hon. Leona Dombrowsky, also attended the Association's event. A former Catholic trustee and member of OCSTA's Board of Directors, Minister Dombrowsky told representatives of Ontario's Catholic school boards that "the McGuinty government is absolutely committed to Catholic education, English and French, in the province of Ontario."

From an editorial in the Ottawa Citizen – 2010 –05 – 21

The "pro-life march to Parliament Hill...(combined an) expression of free speech with a lobbying effort by religious leaders. Catholic schools bused in students, during the regular school day....this is the wrong way to spend publicly-funded class time.

"We can choose to write laws based on someone's belief in God, or not. And if not, then let's stop being overly accommodating to religious demands."

A Thought to Consider

Finally, government is to see to it that equality of citizens before the law, which is itself an element of the common good, is never violated, whether openly or covertly, for religious reasons. Nor is there to be discrimination among citizens.

Pope Paul VI Declaration on religious freedom 7 December 1965

To be added to the mailing list, send \$20.00 to
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ABOVE ALL WE MUST MAKE SURE THAT NO CITIZEN OF ONTARIO, NOW, OR EVER IN THE FUTURE, IS PRIVILEGED OR DISADVANTAGED PUBLICLY BECAUSE OF HIS/HER FAITH, OR ABSENCE OF FAITH.