



**MULTI-FAITH COALITION**  
for Equal Funding of Religious Schools

*A Proposal to Extend Funding  
to Religious Schools*



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to Religious Schools*

*Submitted by*

*The Multi-faith Coalition  
for Equal Funding of Religious Schools*

*December 2004*



**MULTI-FAITH COALITION**  
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Armenian  
Schools



Coptic  
Orthodox  
Church  
Schools



Council  
of Imams  
(Canada)



Evangelical  
Christian  
Schools



Greek  
Orthodox  
Metropolis  
of Toronto  
(Canada)



Islamic  
Society  
of North  
America



Khalsa  
Community  
School  
(Sikh)



Ontario  
Association  
of Jewish  
Day Schools



Ontario  
Conference  
of the  
Seventh Day  
Adventist  
Church



Rockway  
Mennonite  
Collegiate

December 1, 2004

The Honourable Gerard Kennedy  
Minister of Education  
900 Bay St., 22nd Floor, Mowat Block  
Toronto, Ontario M7A 1L2

Dear Minister Kennedy,

Following my letter of May 7th, 2004, to the Hon. Dalton McGuinty, Premier of Ontario and to yourself regarding equal funding for religious schools, and the subsequent meeting that we had with you on November 10th, 2004, and in accordance with the discussion and agreement in that meeting to forward to you a proposal, please find enclosed this aforementioned proposal to extend government funding to all qualifying religious schools. These schools would then in effect be incorporated into the larger education system as religious schools, with the recognition that they are unique and require a different governance structure.

The Coalition has attempted to propose a fair and just solution that will benefit all parties.

The Coalition is sure that you will review the proposal with an open mind, as you told us in our meeting, and hopes that your government will move promptly in considering it and in implementing a solution to this longstanding inequity.

Yours with distinct honour and blessings,

Metropolitan Archbishop Sotirios, Chairman  
Multi-Faith Coalition for Equal Funding of Religious Schools

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## *Executive Summary*

The enclosed proposal recommends that funding be extended to all religious schools. The basic principles and recommendations are set out beginning at page 32 of the proposal. The major recommendations are that religious schools should:

- 1. Meet a government approved curriculum.**
- 2. Use standardized tests or some other comparable measure, to ensure standards are being maintained.**
- 3. Have periodic inspections performed by the Ministry of Education.**
- 4. Receive the same amount of funding per student as do public and Roman Catholic ("Catholic") school students, provided they meet prescribed conditions.**

Implementing the above recommendations would expand the umbrella of public education to potentially include all religious schools, while recognizing that religious schools are distinct in some ways and some accommodations should be made for their diversity.

By expanding public education standards and funding to all religious schools, the Ontario government eliminates the discriminatory practice of funding the Catholic religious school system to the exclusion of all others, while acknowledging that some religious schools incur higher costs in providing an enriched religious based education and therefore must be able to charge tuition fees for the double curriculum.

The current funding arrangement in which over 93% of children attending religious schools are fully funded, and the remaining 7% receive no direct funding because of their religion, is unfair and violates Ontario's and Canada's commitments under international law.

For parents who wish to send their children to a non-Catholic religious school, the central issues are fairness and need. We unequivocally support the distinctive mission of Catholic school boards which ensures that the educational needs of society are meaningfully integrated with faith, values and religious practice. As a matter of basic fairness, parents of other religions seek to enjoy that same right. As a matter of need, the education of children in the religion of their parents is seen by many as fundamental to the survival of their faith. The funding of religious schools is the true test of whether the government of Ontario will remedy a situation of systemic discrimination and genuinely recognize and promote diversity.



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*“...I'd like to point out that my kids are just kids.  
They, too, are getting a good education and will one day  
benefit the public with their services;  
...Maybe someday people will understand that children  
aren't public or private... they are all children.”*



*G. Knelson, Secretary,  
High Level Christian Education Society*



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## *Introduction*

*“The status quo in Ontario leaves... something to be desired with respect to the status and treatment of the Province's private schools. The fact that any changes in these arrangements will entail some uncertainty and, therefore, some risk for all Ontario schools - both public and private - simply defines the nature of the challenge. There is need for some change.”*

*Dr. Bernard Shapiro<sup>1</sup>*

*“We are not mere hostages to old arrangements.”*

*Premier William G. Davis<sup>2</sup>*

The current situation whereby 5% of Ontario students are educated substantially outside the auspices of the Ministry of Education is not beneficial to the government, religious schools<sup>3</sup> or the people of Ontario. The benefits of the public school standards are not being realized by all religious schools. In order for religious schools to realize these benefits, the Ministry of Education needs to extend the umbrella of public funding to these schools while recognizing that these schools have their own unique needs.

The government of Ontario currently funds four parallel educational systems, namely the public school system, the religiously-based Catholic school system, and the French language public and Catholic school systems. Non-Catholic religious schools receive no direct funding. Children in the fully funded public and Catholic schools comprise over 95% of all Ontario children of school age. Of the remaining 5%<sup>4</sup>, approximately 42% attend non-Catholic religious schools (e.g. Christian, Jewish, Muslim). The remaining 58% attend non-denominational independent schools such as Montessori and Waldorf schools<sup>5</sup>.

Independent schools educating the unfunded 5% of Ontario children are extremely diverse. As observed in the Shapiro report, “all that one can infer merely from the label “private school” is that it is an education enterprise not operated by a public agency [...] and that they all charged tuition”<sup>6</sup>. The level of the tuition payments varies considerably among these schools. Tuition in most independent schools is comparable to the approximately \$8,000 per student<sup>7</sup>, which the Ontario government annually spends on children in the public and Catholic systems.



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The so called “elite” private schools which charge much higher tuition and provide what some would consider an exclusive, privileged learning environment constitute only about 5% of all private schools<sup>8</sup>. They are not typical and their populations and parent bodies are not representative of the vast majority of independent schools. Nearly a third of the children who attend “private schools” in Canada come from families with household incomes of less than \$50,000 per year<sup>9</sup>. These parents are by no means the “financial elites”.



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## *The report is divided into 3 sections*

### *Section 1*

outlines the benefits of extending public funding to religious schools and considers the common arguments against extending funding to religious schools.

### *Section 2*

contains the basic principles and recommendations.

### *Section 3*

contains a number of Appendices, including an overview of funding for private schools in Quebec, Alberta and England (Appendix 1), a list of religious school associations in Ontario (Appendix 2) and statistics on the number of independent schools and enrolment in 2002-2003 (Appendix 3).





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# *Section 1*



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# *The Benefits of Extending Funding to Religious Schools*



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The benefits of extending funding to religious schools include:

1. Education is a public service and the people of Ontario benefit from religious schools;
2. Religious schools will meet government curriculum standards;
3. Additional students will participate in external testing to ensure that standards are being maintained;
4. Periodic inspections conducted by the Ministry of Education will ensure that standards are being met, recognizing the diversity and uniqueness of religious schools;
5. Religious parents who cannot send their children to public schools because they require, as a matter of conscience and religious survival, schools that educate children in their religion, can be assured that the religious schools are meeting approved standards;
6. Ontario and Canada will no longer practice religious discrimination contrary to an international treaty both Ontario and Canada agreed to uphold;
7. Parents who send their children to religious schools will no longer suffer financial discrimination and hardship;
8. Tolerance in a multi-cultural society will be enhanced; and
9. Equality of opportunity will be increased for all Ontarians.

Each of these is addressed below.



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# 1

## *Education as a public service*

*“Education is a powerful personal good of which no child should be deprived; further, and more importantly, society itself benefits from having an educated citizenry. In this, education is a unique public service.”<sup>10</sup>*

Religious education is of such vital importance that in many democratic countries all over the world, primary and secondary faith-based and secular education is made accessible to all citizens through government funding. Ontario ought to be no different. Independent schools in Ontario have provided this important public service for decades, often at a cost comparable to or below the amount that the public school system spends per pupil<sup>11</sup>. Graduates of these schools can be found in all types of professions; they are productive, contributing members of Ontario society, in part as a result of the education they receive.

Most religious schools aspire to provide their students with a strong commitment to a specific set of values and at the same time offer them an education which matches or directly follows the Ontario curriculum. Despite great financial and academic challenges, often including a double religious and academic curriculum, faith-based schools strive for and often achieve excellence.

One of the special contributions of independent schools to society as a whole, as noted by Dr. Dalton McGuinty (Sr.), is their commitment to produce a “morally informed and sensitive citizenry”. He explains:

*“[T]he needs which [the independent alternative schools] can serve are of value not only to their students, but to the public school system and to society as a whole. I believe that they are capable of doing some things which are not possible nor permissible to the same extent within the public system. These things have to do with academic programme, pedagogical techniques, and, to use an awkward but I think meaningful phrase “the realm of values”. [...] The independent alternative school is able to assume a clearly-defined philosophy of life and a specific orientation in accord with the values of its students and their parents.”<sup>12</sup>*



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## 2

### *A government approved curriculum*

The Ontario Ministry of Education has designed a curriculum of studies with important goals. A 2004 discussion paper entitled “Building the Ontario Education Advantage” described some of these as follows:

1. Every student in the province should be able to read, write, do math and comprehend at a high level by the age of 12 as the necessary foundation for later educational and social choices;
2. Every student should know how to think for him or herself, appreciate the rights and obligations of good citizenship and learn about character values.

Educators describe the curriculum as comprehensive and as promoting a high standard of achievement. Particularly at the high school level, they find the curriculum to be up-to-date and relevant to requirements of post-secondary institutions and employers.

It is in the best interests of children and society that parents should have the opportunity to educate their children in an educational setting that meets a government approved curriculum and in an environment conducive to their religious beliefs.

By ensuring that religious schools meet a government approved curriculum as a requirement of funding, this government would effectively expand the public school envelope to encompass many additional children.



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# 3

## *Measuring students' progress in education*

Measuring students' progress in education is one of the ways to ensure that a school is covering the curriculum properly and that students are achieving an acceptable standard.

In many ways faith-based schools are unique and different from public schools. However, measuring students' progress in faith-based schools (i.e. through the use of standardized testing or some other comparable measure), ensures that the students are meeting standards in common with public schools.

Some of the benefits of measuring students' progress include: (1) it meets the public's need for accountability; (2) better reporting to parents as to the achievement of students; (3) educators are given a chance to re-examine the content and delivery of the curriculum based on the results; and (4) students receive feedback on their own progress.

The Ontario government has recently engaged Michael Fullan to help reform education in Ontario. A major part of his mandate is to increase Ontario's benchmark on standardized testing from just over 50% to 75%<sup>13</sup>. Faith-based schools should also be able to benefit from Mr. Fullan's expertise. Similarly, Minister Kennedy has hosted educational conferences which have excluded unfunded faith-based schools. If such schools could participate, there would be a mutual benefit from a sharing of ideas and experience.



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# 4

## *Inspections of religious schools*

The Ministry currently performs inspections of the various schools in the Province. These inspections scrutinize the content of the courses, and how they are being delivered, and try to measure the closeness of the correlation between teacher input and student output.

Current legislation allows for the inspection of private schools<sup>14</sup>. Inspections provide an assurance that the school is functioning properly and give confidence to the general public. There are various models as to how inspections can take place. For example, in British Columbia, an independent inspectorate of three people, one from the Ministry and two independent school representatives, inspect schools to ensure standards are met and that the school is operating in accordance with its mandate.



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# 5

## *Why many religious parents require religious schools*

Most parents who feel the need to send their children to religious schools believe education should reinforce the religious and moral values taught at home. The public school system teaches children about religions; however, it is unlawful for a public school to promote the tenets of any particular faith. While that may be the right approach for many parents, it undermines and often destroys the efforts of those parents and communities who wish to educate their children within the religious observances and teachings of their faith.

The importance of parental choice in providing “value”- based education was described by Dr. Dalton McGuinty (Sr.) as follows:

*“The liberal state depends upon the morality of its people.[...] While this is primarily the responsibility of the church and the home, many people feel that they want the help of the school in this regard with their school an extension of their home. And the state which is not cognizant of this fact may very well deprive itself of the kind of citizens it needs for survival. . . . . Moral convictions benefit the state”<sup>15</sup>.*

The religious schools exist for precisely that reason - to reinforce the values of the home. These schools are no more “elitist” or exclusive, than Catholic Schools.

Some Liberal Ministers have recognized the difference between denominational and “private” schools. As The Honourable John Gerretsen said:

*“Let me make it quite clear that I personally feel that there is a great difference between the private schools, such as Upper Canada College, and the denominational schools. I believe [...] that the people who send their children to denominational schools are not the rich or the wealthy. Quite often they are people who are hard-working but feel they want to give their kids a different education. I say more power to them.”<sup>16</sup>*



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The Honourable Michael Bryant has expressed this as follows:

*“For a very small minority of Canadians, a religion is not a hobby that can be dealt with on the weekends. For them, it involves an obligation to teach their children and pass along their holy language and their holy religion. It is for them a way of life.”<sup>17</sup>*

For those children who attempt to maintain their religious identity in a public school, daily life is a series of constant hurdles and social pressures. For example, religious Jewish children in a public school cannot eat non-kosher food, must say daily prayers in the morning and before and after eating, and are unable to attend school for approximately 14 days per school year which fall on Jewish holidays.

For many members of religious minorities, sending children to faith-based schools is not a “choice” or a “luxury”, but a spiritual imperative. Many families are made up of two working parents who do not have the time, skills and resources to replace the religious education offered in a school setting. Also, a faith-based school setting reinforces the religious values taught at home and provides a supportive social environment. Public school education for our children means the loss of culture, language and religious identity which many faiths have preserved for millennia in the face of discrimination and persecution.



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## 6

### *Ontario will no longer discriminate based on religion*

No child in Ontario should be denied the right to publicly funded education because they are members of a particular faith.

By not expanding public education and funding to religious schools, Ontario continues to discriminate on the basis of religion. The *status quo* is incompatible with modern democratic norms of equality and fairness.

The existing system of funding only public and Catholic school boards is divisive and unfair. The minority religions' parents already support the public system through their taxes, and many of them cannot afford to pay tuition in addition to what they pay in taxes. As long as religious schools meet Ontario educational standards, there should be no discrimination between a Protestant child or a Catholic child, or between a Jewish school student and a public school student. Parents should be able to send their children to a school which, in their view, will best suit their child's educational, spiritual and moral development no matter what their financial position.

Ontario is the only democratic jurisdiction that fully discriminates in this area. In no other Province in Canada is one faith-based school granted funding while other faith-based schools are not funded. For example, Alberta (See Appendix 1) and Saskatchewan provide full funding to Catholic schools and partial funding to other faith-based or independent schools. British Columbia partially funds Catholic and other independent schools. Quebec (See Appendix 1) and Manitoba fund French, English and religious independent schools. In 1991, Newfoundland abolished publicly-funded religious schools to create one secular system. Prince Edward Island, New Brunswick and Nova Scotia do not publicly fund any religious school. Ontario stands alone in fully funding Catholic schools and providing no direct funding to other faith-based schools. At the same time, Ontario is one of the most religiously diverse and multicultural provinces.

Catholic parents have an option to send their children to provincially funded Catholic schools, which benefit from publicly funded religious instruction. An estimated 80% of Catholic parents avail themselves of this opportunity. Parents of other religions do not have any real choice unless they can afford to set up their own faith-based schools.



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Obviously not all parents have the means to do this. For example, only about 25% of Jewish children in Ontario attend Jewish day schools. This low percentage is adversely affecting Jewish continuity and affiliation, as is apparent from the diminishing Jewish presence in smaller Ontario cities, such as Windsor, London and Kingston.

The Shapiro Report pointed out this discrimination:

*“On moral grounds, the Commission believes that the special status of the Roman Catholic schools is discriminatory.”*

The argument that because some schools were constitutionally funded in 1867 as part of Confederation and should be the only schools funded today is unconvincing morally.

The courts have stated that the issue of government funding of religious schools should be resolved in the political arena. In 1986, the Ontario Court of Appeal remarked that “[a]s matters presently stand, no government policy has yet been formulated which takes into account the reality that denominational schools other than Roman Catholic exist in Ontario or which seeks to accommodate the...rights of supporters of those schools or promote...and enhance the multicultural heritage of Canadians.”

This discrimination is also opposed by the Catholic community. As noted in an article by the Toronto Catholic District School Board, in the spring of 2002,

*“The Ontario Catholic Conference of Bishops position on education is that government should financially support any faith/culturally-based and parental choice education that meets basic provincial requirements.”*

Similarly, in his discussion of “Legal and Constitutional Aspects of Public Funding for Private Schools in Ontario”, Neil Finkelstein, a prominent constitutional lawyer, states:

*“Whatever the situation in 1867, the Roman Catholic minority in Ontario needs less protection today than other religious minorities.... If the purpose of the equality guarantee is to guard against majoritarian abuse, weaker minorities should be able to claim at least as much support as Roman Catholics.”*



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*Section 93 was intended to prevent discrimination, not foster it. It would be very odd indeed if s.93 could be used as the fulcrum to justify religion-based discriminatory funding under the Charter. The better view is that s. 93 and s.15 of the Charter should be read together to oblige the state to fund all denominational schools equally. Additional support for this view can be found in s.27 of the Charter which requires the Charter to be interpreted consistently with the multicultural heritage of Canadians.*<sup>18</sup>

In the Adler decision<sup>19</sup>, the Supreme Court of Canada acknowledged that the government can fund non-Catholic denominational schools if it wishes. However, it held that the equality provision of the Charter could not be read together with the guarantee of equality for Catholics to require such funding.

The discrimination issue was further adjudicated by the United Nations. On November 3, 1999, the United Nations Human Rights Committee released its decision in the Waldman case which was a complaint by a parent whose children were attending a Jewish day school, that the Government of Ontario violates Article 26 of the International Covenant on Civil and Political Rights by funding Roman Catholic schools to the exclusion of all other faith-based schools. The government of Canada had attempted to justify Ontario's discriminatory education funding policy and lost decisively.

The committee found the following:

10.4[...] The fact that a distinction is enshrined in the Constitution does not render it reasonable and objective...

[T]he Committee rejects the State party's argument that the preferential treatment of Roman Catholic schools is nondiscriminatory because of its Constitutional obligation.

10.5 [...] The Committee considers that the differences in treatment between Roman Catholic religious schools, which are publicly funded as a distinct part of the public education system, and schools of the author's religion, which are **private by necessity**, cannot be considered reasonable and objective.



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10.6[...] The Covenant does not oblige States parties to fund schools which are established on a religious basis. However, if a State party chooses to provide public funding to religious schools, it should make this funding available **without discrimination**.

The Committee agrees that there has been a violation of the author's rights under article 26 of the Covenant to equal and effective protection against discrimination and notes that “ **The state party is under the obligation to provide an effective remedy that will eliminate this discrimination**”.<sup>20</sup> (emphasis added)

A survey asking about the Waldman ruling found that approximately 70% of Canadians and 62% of Ontarians thought that the Ontario government should respond to the ruling by extending funding to other faith-based schools.<sup>21</sup>

Ontarians are fair minded and a majority recognize that funding one faith-based system to the exclusion of all others is discriminatory and unacceptable. Ontarians also appreciate that educational opportunities are enhanced, not diminished, through the funding of Catholic schools.

One of the historic missions of the public schools has been to act as a kind of social mobility ladder for young people who do not have the advantages of background or wealth. Faith-based schools are by no means repositories of children from identical backgrounds. Their school populations vary significantly in the socio-economic conditions of the families the same way they vary in the Catholic schools. No one suggests that Catholic schools reduce the equality of educational opportunity among their students by virtue of educating Catholics. Similarly, no such accusation should be made towards other faith-based schools.



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The public school system in Ontario is also not monolithic. The Ontario Ministry of Education acknowledges that choices ought to be offered to a student population as diverse as Ontario's. Currently available choices include: French language schools (both public and Catholic), French-immersion schools (that give parents a choice if they want their child's education to include a fluency in a second language), International Baccalaureate, enriched academic streams, arts-based schools, technical schools, special education schools, Aboriginal schools, advanced placement courses, and gay and lesbian programs, within public schools. The government funds many choices in education, but still excludes non-Catholic religious schools.

It is unfair that so many types of schools and special programs are considered legitimate and worthy of public funding, but that the education of the 2% of Ontario children who attend minority faith-based schools is not.

The current government funding policy which maintains the public and Catholic schools' monopoly on the publicly funded education of Ontario children (even though for both religious and academic reasons, these schools cannot possibly satisfy everyone's needs), reduces rather than improves the equality of educational opportunity for children. Parents who are of modest means can neither afford housing in the best residential areas with good, established public schools, nor the tuition fees for independent schools (be they parochial, or with a particular educational philosophy like Montessori or Waldorf schools). As a result, many children who do not come from wealthy homes have even less chance to receive a suitable education, whether through the public or independent school systems.



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# 7

## *Parents sending children to religious schools will no longer suffer financial hardship*

Most parents who send their children to religious schools are of modest means<sup>22</sup> (as are most Catholic parents in the separate system), and they often send their children to school at tremendous personal sacrifice. They suffer financially for 12 years, while their taxes are used by the government to fund the public school and the Catholic school systems. For many of our parents, tuition fees are the largest item in their family budget after paying taxes. Parents make very serious financial sacrifices to provide their children with a religious education based on their conscientious views that their religion, culture or language demand nothing less.

Unlike Catholic parents who have the option to direct their taxes to their own schools, religious minorities of Ontario are forced to fund the two educational systems which are unable to provide their children with an education in their religion. Non-Catholic Christian, Jewish, Muslim, Sikh and other parents have to pay for Catholic and public schools, saving the government over \$8,000 per child per year, since they also are compelled to pay for their own children's schooling. These parents, who are a cross-section of Ontario society, bear a double burden of taxation. Many of them have become impoverished because of their commitment to educate their children in their faith. The excerpts below from letters sent to Finance Minister Sorbara are typical of the hardships and stress that families go through:

*"I have one kid in high school and 4 in elementary. My bill is around \$50,000. Even with the subsidy we get I am nowhere close to being able to afford school fees. It bothers me terribly, I lose sleep at night having to live hand to mouth and still not being able to cover our fees. It has caused many fights with my husband on pulling the kids out. It is a major problem in our home". H. Tabakman*



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*"I wish that I were part of the rich and elitist group [Politicians] speak of when referring to the EETC. But the reality is that I am not. The reality is that every time the tuition forms come in from the school, there are knots in my stomach not knowing if I will be able to send my kids to school the following year. The reality is that my husband and I work opposite shifts so we can afford to send our kids to school without adding the financial burden of paying for childcare." Mira Miller-Couillard*

*"My husband and I have been sending our five children to Jewish schools and the burden is tremendous. According to Canadian standards, we should be living just fine, according to our income; however, because we choose to send our children to religious schools, we worry constantly about making ends meet. If a bank had to approve this amount of money from our salaries as a monthly expense, they would never allow it." A. Beck*

*"Were I to pay full tuition for my children, as I would like, I would be paying out more than my annual salary for tuition alone! To add insult to injury, the hefty education tax we pay as homeowners cannot even be directed to our perfectly legal and valid school system. This inequity means that I drive a 16- year old car and have not been able to afford a family holiday for years. We chose education over painting the house!" Arnie Gotfryd, Ph.D.<sup>23</sup>*

The current system, which funds the education of Catholic children but denies funding to the 2% of children attending unfunded faith-based schools, puts a tremendous burden on these children's families. For example, the A.R.S. Armenian Private School subsidizes approximately 20% of the students who cannot afford full tuition. About 45% of students in the Jewish schools are subsidized because the parents cannot afford full tuition, and even the subsidized parents find it very hard to manage financially. There is a continuous and growing trickle of parents who cannot bear the financial stress anymore and enroll their children in the public schools. Total enrolment in the Jewish day schools has shrunk in the last two years, for the first time in 25 years.



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Many faith-based schools are in financial trouble. Many are running deficits and some are months behind in salary payments to teachers. One Jewish school with 160 students was recently locked out of their school due to non-payment of rent and began their school year late. The school which serves mostly children from low income families did not have enough funds to pay back rent. Unfortunately, it is likely that such situations will re-occur, if funding is not extended to faith-based schools.

In a democracy, it is essential that children learn respect for the government and for the laws of the country. However the financial burden imposed on many parents breeds such bitterness and feelings of injustice that this goal is increasingly difficult to achieve. Children are well aware that their parents struggle financially to send them to school. They also see that their neighbours' children attend school for free, paid for by taxpayers like their parents. We want our children to have a positive, constructive attitude towards government but the *Status Quo* nurtures only righteous anger. No "historical", "constitutional" or budgetary arguments can take away the feelings of unfairness and discrimination that our children experience first hand.



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## 8

### *Tolerance in a multi-cultural society is enhanced*

The Shapiro Commission believes that “it does seem intuitively plausible [...] that tolerance and understanding are more likely to arise from settings in which various groups interact than in settings which are segmented and segregated”. Nevertheless, it also comments that “It was the Commission's experience that the public schools too easily assumed that the mere physical presence of various groups within their student bodies somehow, of its own accord, bred tolerance and understanding...”.<sup>24</sup>

In the absence of a properly conducted study, however, it is difficult to say which school system produces more tolerant individuals. However, some American research has shown that instead of isolating children from the broader society, private schools often encourage their students to recognize and discharge their civic duties. Their graduates hold on average more tolerant political and religious views, and are more likely to engage in civic activities such as voting or volunteering than graduates of public schools.<sup>25</sup>

Religious schools help students of a particular cultural or religious background to become more securely rooted in the broader society. Faith-based schools, like English and French-language Catholic schools, will not and do not tolerate any promotion of hatred or bigotry. In fact, the most glaring examples of hatred and intolerance known in Canada, James Keegstra and Malcolm Ross, taught for years in the public school system. There are also no known examples of racism or xenophobia resulting from the funding of faith-based schools in other Canadian provinces (e.g. British Columbia, Alberta, or Quebec).

The goal of most religious schools is to be educationally responsible and enrich the curriculum with the spiritual and cultural dimensions which are seen as an integral part of education. It is a part of the children's character and identity building, which contributes to the multicultural mosaic of today's Ontario. Religious schools produce fully integrated, well-rounded, productive members of society, as do the graduates of the public and Catholic school systems, and deserve to be funded equally.

If Ontario is truly tolerant, allowing children to be educated in the best traditions of their distinct culture should be seen as an enriching experience, rather than as a threat to the society. A multicultural society is only truly multicultural when its citizens are tolerant and contribute to the well being of the whole society, while being rooted in their distinct cultures.



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## 9

### *Increased educational opportunity*

In other provinces, the funding of independent schools has benefited the public school system. For example, in British Columbia, Alberta, Saskatchewan, Manitoba and Quebec, there has been no collapse of the public school system due to independent school funding; rather, the two systems work hand in hand enriching the roster of educational options available to parents.

Among the provinces, British Columbia has the highest percentage of students in independent schools, less than 10%, and this proportion did not materially increase when funding increased. This figure includes Catholic schools, which are not part of the public system in British Columbia and which are close to 30% of the education system in Ontario.

Moreover, the increase in the funding for independent schools in Alberta, led to major positive reforms in the Calgary and Edmonton boards of education which, faced with real competition from fully funded charter schools, decided to reform themselves profoundly in order to maintain and raise their student enrollment. The Edmonton Board now boasts about 30 alternative programs, many of them very innovative, catering to the different interests of the students (e.g. arts, sports, science, Christian schools, all-girls schools, International Baccalaureate or Canadian studies schools). The results have been rising school enrollment and substantially improved student performance within the public schools system. Today, Alberta's students consistently score at or near the top<sup>26</sup> on standardized tests, and in the academic year 1999/2000 when the PISA study (Program for International Student Assessment) was administered, they achieved this at a cost below what Ontario spends per student (and close to the average per pupil expenditure in Canada according to the Government of British Columbia).<sup>27</sup>

The Edmonton example clearly demonstrates that the funding of independent schools can have a positive impact on the public school system.



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## *A Response to Arguments Against Extending Funding to Religious Schools*

The three most common arguments against extending public funding to religious schools are as follows:

1. Issues of tolerance and fragmentation of our society;
2. Loss of the best students in the public school system; and
3. Lack of money for funding of religious schools.

### *Extending funding to religious schools will not lead to intolerance and fragmentation in society*

Opponents of public funding for religious schools often raise the argument that such funding would lead to divisiveness and fragmentation in society. According to this view, the current public school system, in which children of various backgrounds study and socialize together, provides the common acculturation experience needed for a diverse society to function effectively. The Shapiro report, while acknowledging the potential positive influence of such an experience, makes this caveat:

*[I]n a heterogeneous society, the arguments for a common acculturation experience can be overstated so that all dissent and variation is suppressed in favour of some single, necessarily imperfect, vision, and it is an unfortunate truth that the public school community has not always avoided this pitfall.<sup>28</sup>*

Further, when this common acculturation experience can only be achieved at the expense of a lost culture or religious identity, then the ideal of a tolerant, cohesive society becomes not only distorted but destructive. The experience of the Aboriginal peoples of Canada in residential schools is but one tragic example of cultures, languages, and identities lost when communities are forced to educate their youth in a system which is not capable of and/or competent in promoting their distinct culture and values. Schools teaching Aboriginal



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heritage studies are now fully funded by government, in a likely too late attempt to reverse the damage of the past decades. **It is a tragedy that members of faith communities are losing their identities as a result of being forced into homogenous secular humanist schools, through the absence of funding.**

The fact that some religious schools serve particular ethnic or religious groups does not mean that they promote intolerance or lead to the “ghettoization” of our youth. In any multi-faith society, schools of different denominations are able to co-exist peacefully just like the churches and temples of various religions do. They are living proof of the prevailing tolerance and acceptance of diversity. The same can be said about the multitude of faith-based schools in Ontario. In fact, the only point of friction between these schools and the publicly funded system is the blatantly unfair funding formula.

While we recognize the potentially beneficial effects of young people from different backgrounds learning and socializing together, we question that the existing public schools are the only way to achieve this goal. Public schools in urban settings are neighbourhood schools which enroll the children of their residents. As a result, they can be as segregationist and elitist as any exclusive private school. There are ample examples of neighbourhood stratification where the student population is extremely homogeneous in terms of social class and financial means as well as race and creed. Top performing public schools are often found in wealthy, established residential areas; concomitantly, poorer performing public schools are sometimes comprised predominantly of children of low income parents or new immigrants from similar ethnic and religious backgrounds. The religious schools, which gather children from various neighbourhoods, are often more economically, socially and racially diverse.

### *The possible loss of the best students to the religious schools*

The opponents of religious schools argue that extending funding to religious schools would hurt the public school system and cause a mass exodus of the best students and the most pro-active parents. However, there is no evidence of this having occurred in any of the other provinces, even when funding to religious schools increased.



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Only students who are committed to a particular religion will leave their current public school in favour of a religious school, where religion is often a central component of the education, and tuition may be charged for the religious portion of study. We do not foresee any exodus of students from the public school system.

### *The alleged lack of money for funding religious schools in Ontario*

We support adequate funding for the public school system (See the Basic Principles page 32). However, budgetary constraints should not be the deciding factor in not expanding the public school system and extending funding to religious schools.

The Shapiro commission considered the “spending priority” argument and found it “of little merit”.

*“The Commission does accept the two most common premises of this argument that (a) the public schools (including the separate schools) should be the priority public investment in education and (b) that, at present, the public schools are underfunded. Nevertheless, it does not draw the conclusion that there should, therefore, be no extension of public funding to private schools. The Commission's reasons are twofold. First, the cost of fully funding the private schools, estimated at no more than \$200 million annually, is not sufficiently large - when compared to the \$6.5 billion per annum already being expended on the public elementary and secondary schools in the province - to be determinative of public policy. Second, since educators are in the best sense fully engaged in maximizing the funds to be made available to their work and then fully expending these funds in the interest of their students, the Commission finds itself unable to imagine a funding context in which the public school community would see itself as having sufficient financial support to enable the funding of other systems to assume a first priority. Therefore, the Commission rejects the spending priority argument”.*<sup>29</sup>

Ultimately, where to find the money is not the right question to ask. There will always be competing budgetary priorities. Upholding human rights, treating children with fairness and equality and protecting the rights of minorities to maintain their unique faiths and cultures should not and cannot be subject to budgetary restrictions. The potential cost to the Government, is immaterial to the overall education budget and should not be a factor in the decision to not discriminate against religious minorities.





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## *Conclusion*

The benefits to expanding the umbrella of public education to faith-based schools are many. All parties involved, including the government, the faith-based schools, the public schools and all Ontarians will benefit. The government and the people of Ontario will have assurances that educational standards are being met in faith-based schools. The faith-based schools will maintain their values, while at the same time ensuring that their students are treated the same as other public/Catholic students. Public schools will benefit as faith-based schools will no longer be working outside the system but will be brought into the system and provide additional educational options for children with special religious needs. The system will become more flexible and versatile.

Furthermore, the existing discrimination between the children of different religions will end. Our province cannot claim to be a liberal democracy and at the same time openly violate the human rights of its minority religions' citizens as determined by the United Nations Human Rights Committee.<sup>30</sup> In this respect, Ontario has become both an international oddity among the developed countries - having been censured by the United Nations, and an exception in the Canadian context, since all provinces provide either no funding or partial/full funding to all faith-based schools. As the cost of fair funding of religious minorities' children is in no way prohibitive in Ontario (up to ½ of 1% of the provincial budget), reversing the discrimination is clearly a matter of political will.

The original spirit of the Canadian Constitution, which guaranteed funding to the Catholic schools, was one of tolerance of diversity, and protection for religious minorities with their distinct cultures. It is ironic that in today's multicultural Ontario, these ideals should be misused to form the basis for discrimination and suppression of other religious minorities' cultures under the pretext of the "greater good". It is enough to look at the graduates of these faith-based schools in Ontario to see that they contribute meaningfully to the well-being of their province and country. Indeed, they help make this province a rich mosaic of human talent, spirit and culture.



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The experience of other Canadian provinces clearly shows that giving parents a genuine choice in their children's education does not have an adverse impact on society. There has not been a rise in racism or intolerance, nor a collapse of the public school system, after funding to religious schools was increased. (To the contrary, in Alberta, the public school system underwent significant positive reforms to meet the challenge of independent schools, and enrollment in public schools increased.) Bringing fair funding to the tiny minority of 2% of Ontario children in faith-based schools would similarly not adversely affect the public and separate educational systems.

Moreover, as demonstrated by the results of internationally recognized student assessments programs, students in Canadian provinces which offer the most varied educational choices (i.e. British Columbia, Alberta and Quebec) consistently outperform provinces with fewer choices (like Ontario). The provinces with a virtual public schools monopoly on education (e.g. New Brunswick) score at the bottom. It is important to note that the high achievement scores do not reflect higher per student expenditures by the province. The quality of education clearly depends on much more than the amount of money spent to educate a child.<sup>31</sup>

Although there may be a populist belief that a public school system should be able to adequately serve all children, the reality in today's heterogeneous societies is far more complex and challenging. We are all able to live together in relative harmony because of, not in spite of, the freedom to practice our different religions, celebrate our various cultures, and educate our children in our deeply held beliefs. State school systems, on the other hand, have notoriously been used by the ruling elites to discriminate against the less powerful groups. In 19th century Canada, the Protestant majority in Manitoba used its power to stop funding the Catholic minority schools in the name of greater unity and budgetary efficiency. The Manitoba school crisis precipitated years of legislative wrangling, and a social discord between Protestants and Catholics which took decades to heal. The tragic case of residential schools for Aboriginal children is another historical example of an attempt to coerce a minority culture to fit into the state-sponsored school system. As if nothing was learned from history, Ontario continues to uphold an education funding formula which elevates the Catholics above all other religious groups. The social tension and damage is just as real today.



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We urge the government to right the historical wrong by extending fair funding to the children of religious minorities of our province. We hope that this Liberal government will include them in its noble goal of “Excellence for All” in education.

Ontario’s Education Minister, The Honourable Gerard Kennedy, recently stated “Ontario is going to have a made-in-Ontario policy for the first time,”<sup>32</sup> in reference to Ontario's hiring of educational consultant Michael Fullan. Faith-based schools should be a part of this policy.

The late Dr. Dalton McGuinty (Sr.), expressed faith in the ability of future Ontario governments to bring about fairness in the funding for all schools:

*“I am confident that problems associated with the extension of the Roman Catholic schools will be resolved with due regard and respect for the legitimate interests and obligations of all concerned. And that the question of public funding of Independent Alternative schools will be dealt with in the same spirit”<sup>33</sup>*

We share his optimism and urge the Government of Ontario to transform Dr. McGuinty's words into a reality.





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# *Section 2*



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# *Basic Principles and Recommendations*



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Before outlining our recommendations, we set out the basic principles followed in drafting our recommendations. These basic principles are modeled on the “Guiding Concepts” used by the Task Force in Alberta, in their 1998 document “Setting a New Framework, Report and Recommendations of the Private Schools Funding Task Force” Part 2.

## *Basic Principles*

### *Best interests of the student*

The focus of the education system is the student. The best interests of students are the paramount considerations for all policies, decisions and actions in Ontario's education system.

### *Right of the Parent*

Parents have a prior right to choose the type of education they believe is suitable for their children.

### *Education in Ontario*

The cornerstone of education in Ontario is a strong well funded education system.

### *Fairness and Equality*

All parents should be provided with equal access to the school which best meets their needs. One religion should not receive special treatment over any other religion.



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### *Accountability*

All schools receiving funding should be accountable to the Government and to the people of Ontario.

### *Role of the Province*

The Province has a responsibility to set educational standards and to ensure that those standards are met in both public and religious schools.



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## *Recommendations*

### *Education Standards*

*We recommend that:*

1. Religious schools should meet a government approved curriculum.
2. Religious schools measure students' progress, using standardized tests or some other comparable measure.
3. Teachers be certified or otherwise qualified, and meet a standard accepted by the Ministry of Education.
4. A new requirement should be introduced which provides that no religious school may offer programs that in theory or in practice promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action, or disobedience of laws.



## *Comments*

Religious schools should maintain standards equivalent to the public schools. This can be accomplished by requiring religious schools to meet a government approved curriculum, which considers the needs and unique attributes of religious schools.

Furthermore, an important element of meeting these standards is the requirement that religious schools measure students' progress (i.e. by taking the same standardized tests, Education Quality and Accountability Office (EQAO) tests as do public and Catholic school students, or through some other comparable measure).

The Ministry of Education, in consultation with religious schools, should establish the exact criteria with respect to certification or qualification, to ensure that teachers are properly qualified, that standards are maintained and that the unique characteristics of religious schools are recognized.

All schools in Ontario follow Ontario's official policy on Multiculturalism and Race Relations, which says "...accept cultural and racial diversity as a significant characteristic of the province's social fabric and, accordingly, require schools to help prepare all students to live in this multicultural and multiracial society, and in an increasingly interdependent world. Education programmes must be permitted to reflect each respective community's spiritual and cultural values." Although there is no evidence that religious schools are in any way providing programs which promote intolerance, Recommendation 4, which is taken from both the British Columbia and Alberta education programs, is intended as a preventive measure.



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## *Accountability*

*We recommend that:*

5. Religious schools should continue to be accountable to their parent body and to the Minister of Education.
6. Religious schools provide to the Minister of Education audited financial statements.
7. Periodic inspections take place, to ensure that religious schools are meeting the government approved curriculum and all other conditions, recognizing the diversity and uniqueness of religious schools.

### *Comments*

Providing annual financial data to the Minister of Education, in the form of audited financial statements, will ensure that the school is financially sound and accountable.

As with the public and Catholic schools, parents and the general public want to be assured that the religious schools are following a government approved curriculum and are satisfying the Ministry of Education requirements. This is accomplished through appropriate monitoring of religious schools.



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## *Tuition*

*We recommend that:*

8. Religious schools should be able to set tuition fees for the enriched religious portion of their program, to those parents who are financially able to pay.

## *Comments*

An integral part of any religious school's curriculum is to teach religion. Secular studies are taught in addition to core religious subjects. In addition, enriched religious subjects are taught in some schools, in order for such schools to properly teach the many facets of the Religion. Religious schools often have longer days and hire additional teachers in order to teach the enriched religious component. For example, a typical day in a religious school can start as early as 7:30am and conclude at 6:00pm. The longer days and additional teachers necessary for this double curriculum add significant cost to the running of the school.

For this reason, religious schools should be able to charge tuition relating to the enriched religious portion of study.



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## *Funding*

*We recommend that:*

9. Religious schools should receive public funding if they meet prescribed conditions.
10. The funding should be the same amount per student as received by Catholic schools.
11. Religious schools should be eligible for other funding similar to the Catholic schools, including such items as transportation, administration, operations, maintenance and capital funding.

## *Comments*

Religious schools meeting prescribed conditions should receive the same level of funding as received by the public and Catholic schools. It is logical and fair to fund religious schools on the same basis as the other funded schools, if they meet acceptable standards. Religious schools teach a secular curriculum along with core religious studies, similar to Catholic schools. The fact that religious schools have an added component, that of teaching enriched religious studies, and employ more teachers and have longer days, necessitates that these schools charge tuition to those parents financially able to pay.

We estimate that the incremental cost of funding religious schools is approximately \$275,000,000.<sup>34</sup> Approximately 121,000 students are in independent schools<sup>35</sup>, of which approximately 42% are in faith-based schools.<sup>36</sup> The maximum total estimated yearly cost of this funding, based on approximately \$8,000 per student cost, is  $\$8,000 \times 51,000 = \$408,000,000$ . However, the actual incremental cost to the government is much lower, as not all of the faith-based schools will accept funding and there will be a benefit to the government as schools issue lower charitable receipts.



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## *Other Requirements*

### *We recommend that:*

12. In the event of a school closure, the religious school should be required to provide the parents and The Ministry of Education with three months' advance notice. Student records should be forwarded to the Minister of Education.
  
13. There should be no change to the current practice in which the school, parents and boards determine the educational and religious philosophy of the religious school.

### *Comments*

The student records should be forwarded to the Minister of Education so that they will not be lost.



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## *Implementation*

### *We recommend that:*

14. The government should take immediate steps to implement the above recommendations.

### *Comments*

The issue of extending public funding to faith-based schools has been studied extensively. As the Shapiro Report notes, "The extent to which public monies should be used to support the education of persons enrolled in private elementary and/or secondary schools (i.e., elementary and/or secondary schools not themselves owned or operated by government bodies) has been a question debated by every nation providing public support to schools."<sup>37</sup>

Dr. Shapiro's report was particularly thorough. The Commission (a) conducted periodic consultations with an advisory committee; (b) reviewed research and policy literature with regard to the governance and funding of private schools; (c) commissioned six special papers; (d) visited 40 Ontario independent schools; (e) collected written briefs from individuals and/or groups concerned with the issue; (f) met with various committees in charge of secondary education in Ontario; and (g) conducted informal consultations with representatives of various educational groups around Ontario.

Unfortunately, no steps were taken to implement the Report's recommendation that independent schools ought to be funded subject to certain criteria.

More recently, The Private Schools Funding Task Force in Alberta (1998), extensively studied the policy of funding accredited private schools and special education private schools in Alberta and recommended that funding of these institutions continue. The task force (a) prepared a discussion paper and companion workbook and distributed 150,000 copies to MLA offices, provincial education organizations, superintendents of schools, school boards, school councils, schools and public libraries; (b) received and analyzed 8,986 responses; (c) held



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11 days of public hearings across the Province and heard 288 presentations; (d) met with 10 organizations directly involved with public and private education; (e) surveyed funded private schools; and (f) reviewed extensive information from Alberta Education and other Provinces.

As funding is already being provided to Catholic schools in a manner consistent with the public interest, a prolonged study of the funding of other faith-based schools is unnecessarily expensive and redundant. Rather, the government should take immediate steps to implement the funding and ensure a smooth transition.



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## *Funding for Special Education Religious Schools*

*We recommend that:*

15. Special education religious schools be recognized as a unique and distinct category of religious schools.
16. It is up to parents in consultation with professionals and the individual schools to decide if the student is in need of a special education program.
17. Special education religious schools should attempt to follow the government approved curriculum, with accommodation being made for their students' particular needs.

### *Comments*

Special education religious schools are unique and should be considered as a separate category of schools within the funding framework. They should attempt to follow the government approved curriculum, with accommodations and modifications being made to individual student programmes in order to best help students meet provincial standards.



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# *Section 3*



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## *Appendix 1*

# *An Overview of Funding for Private Schools in Quebec, Alberta and England*



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## *Quebec Education*

### *Quebec Private School System*

Private schools have received funding in the form of direct government grants since 1968 with the enactment of the “Act Respecting Private Education” (hereafter “The Act”).<sup>38</sup> The Act applies to all private educational institutions. There are approximately 200 private schools in Quebec. They include schools for Jewish, Armenian, Greek and Muslim children and with only a few exceptions, all receive government funding.

The Minister of Education is responsible for the administration of the “Act Respecting Private Education”. The Act applies to all private educational institutions.<sup>39</sup>

### *The Commission*

The “Commission consultative de l'enseignement privé”, was instituted by the Act. The Commission is comprised of 9 members, including the chairman, appointed by the Government on the recommendation of the Minister of Education. Other members of the Commission come from representatives of permit holders, directors of private schools, teachers and parents of students in the private schools.<sup>40</sup>

The Commission advises the Minister of Education on matters concerning private education.<sup>41</sup> Its main functions are to hear and approve applications for permits and/or accreditation from private schools and to report such information yearly to the Minister of Education.<sup>42</sup>



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## *Permits, Accreditation and Funding*

All individuals who run private educational institutions must hold a permit, issued by the Minister of Education.<sup>43</sup> Permits are issued when the Minister is satisfied that the private institution meets some basic criteria, such as having adequate human and material resources required for dispensing educational services and sufficient financial resources etc.<sup>44</sup> Permits are valid for 3 years and are renewable for 5 years, by the Minister.<sup>45</sup>

In order for the private school to receive subsidies from the Government, the permit is not sufficient and the institution must also be accredited by the Minister.<sup>46</sup>

There is no prescribed application form for requesting either permit or accreditation. The application must be made in writing and should include basic information as suggested by the "Guide d'ouverture pour un établissement d'enseignement privé".

The following matters should be addressed in the application:

- ◆ For the purposes of granting accreditation, the Minister considers several factors:
  1. Quality of the organization and the criteria governing the selection of the teaching and managerial personnel;
  2. the importance of the need expressed to which the institution proposes to respond;
  3. the extent of public support and community involvement;
  4. the effects of accreditation on resources in the community;
  5. the contribution by the institution in terms of enrichment, complementarity or diversity;
  6. the level of participation of parents in the life of the institution; and
  7. compatibility between the institution's objectives and the policies of the Minister or Government.<sup>47</sup>
- ◆ The application should include an analysis of the impact of funding on the institution, its administrative structure, the services offered to students and on its material resources;
- ◆ A forecast of growth or maintenance of student numbers over the first three years of activity, and
- ◆ An outline of the tuition fees the institution intends to charge.



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### *Calculation of Subsidies*

Subsidies provide for the allocation of a base amount per full-time student enrolled in an institution.<sup>48</sup> There is a formula whereby part-time students are converted into the equivalent number of full-time students.<sup>49</sup>

(Essentially, subsidies are provided for the administration and teaching costs. Students enrolled in the private institution only, do not receive funding for transportation, as opposed to students who may attend another school governed by a school board, who can receive a subsidy to organize transportation.<sup>50</sup> Subsidies are also not provided for capital costs and buildings. The allocation formula is different for institutions providing distance education and those providing special education.)

All private schools undertake to provide an educational service contract to each student.<sup>51</sup> This contract sets out the basic educational services the school will provide as well as the tuition for those services.<sup>52</sup>

For the school year 2003/4, private schools receive a subsidy of 60% of that provided to the public schools. This amounts to approximately \$2,500 per student at the elementary level and \$3,000 per student at the secondary level.

A private school approved for funding is exempt from the requirement to place a security with the Ministry. (Such security guarantees refunds to parents in the event of school closure).



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## *Regulations*

Private schools are governed by the basic school regulation prescribed under the Education Act (chapter I-13.3). This includes all matters concerning:

1. Subjects to be taught;
2. Admission, enrollment and school attendance, including rules governing promotion from one level of instruction to another; the private school can impose conditions for admission in addition to those specified in the general education legislation;<sup>53</sup>
3. The school calendar;
4. The evaluation of students' learning achievement and the certification of studies;
5. Diplomas, certificates and other official attestations awarded by the Minister, as well as the conditions governing their issue.<sup>54</sup>

(The preschool program is established by the Minister under Section 461 of the Education Act or is a program approved by the Minister.<sup>55</sup> The elementary and secondary school programs are established by the Minister under Section 461 of the Education Act.<sup>56</sup> All textbooks and instructional material must be approved by the Minister under section 462 of the Education Act).<sup>57</sup>

## *Hours of Instruction*

Although the private institutions must cover the public school program, the number of hours taught may differ and is negotiated with the government.

The Minister imposes examinations described in the Education Act and the institution administers the examinations.<sup>58</sup> There are also some criteria set out in the Education Act whereby the Minister recognizes other learning acquired by the student outside of that prescribed by the basic school regulation.<sup>59</sup>



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### *Licensing of Teachers*

All teachers must hold a teaching license issued by the Minister of Education under the Education Act. Exceptions are for supply teachers and for teachers providing instruction not leading to a diploma. Under certain conditions, the Minister may authorize further exceptions. The school Administrator must possess qualifications required by the regulations of the Minister of Education.<sup>60</sup>

### *Administrative Issues*

The institution must provide annual financial statements to the Minister, when requested.<sup>61</sup>

Tuition fees set by the institution cannot exceed a maximum amount determined by regulation of the Minister.<sup>62</sup> The government can also, by regulation, establish standards regarding advertising by the institution, determine the form and tenor of student records, and establish rules for the maximum amount that the institution can charge as tuition.<sup>63</sup>

### *Inspection*

Inspectors designated by the Minister may, at any reasonable time, enter school facilities and examine registers and documents to ascertain whether provisions of the Act are being complied with.<sup>64</sup> The government also has powers to modify or revoke permits, accreditation, withhold or cancel subsidies and impose penalties and fines for various infractions.<sup>65</sup>

### *Religious Education*

The program of moral and religious instruction of a religious affiliation, other than Catholic or Protestant, shall be developed by the institution. However, the religious studies must include the objectives and mandatory content of the program of studies in moral instruction established by the Minister.

There are a number of exceptions, whereby a religious, non-profit institution can design its own program of moral instruction without the content requirement, if their students are not able to benefit from the regular program of studies established by the Minister. This must be approved by the Minister.<sup>66</sup>



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## *Alberta Education*

Alberta has a diverse education system and provides a wide range of choice for parents. There is a high degree of satisfaction with the system among parents, administrators and educators alike:

*“Choice is one of the important principles Alberta’s education system is built on.”*  
*Emery Dosdall, Superintendent of Edmonton Public Schools.*

There are 62 public, separate (Roman Catholic or Protestant) and francophone school boards that are elected by and accountable to the communities they serve.<sup>67</sup> In addition to the school boards, there are independent “charter” schools which are fully funded, and (accredited) private schools which receive partial government funding.

Within the public system there exist a variety of “alternative programs” that are classified as public schools but have very unique educational goals and characteristics.

### *Statistics: 2003-2004*

- ◆ Budget for education is \$3.8 billion; includes public, separate, charter, home schooling, private school funding, and private Early Childhood Services (ECS).
- ◆ The Basic Instructional Grant (BIG) per student is \$4,454.
- ◆ Enrolment was expected to remain flat over the previous year. However, overall funding was to increase by 4.9%, and by 2% for the BIG.
- ◆ 4.4% of students are in private schools, 88% of these are accredited.
- ◆ Accredited private schools receive 60% of the BIG. There is no funding for capital expenditures or transportation in these schools.



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### *Charter Schools*<sup>68</sup>

With the introduction of the School Amendment Act in May, 1995, Alberta became the first province in Canada to permit the establishment of charter schools. A charter is an agreement between the Minister of Learning and an individual or group regarding the establishment and administration of a charter school.

The charter describes the unique educational service the school will provide. The programs must be “structured around a basic education as described in the Alberta Programs of Study” and must meet conditions in section 39 of the School Act. This is to ensure that students can transfer to or from other public schools and can obtain a high school diploma.

Many changes within the Edmonton Public Schools board, such as the introduction of “alternative programs” (see below) and decentralized decision-making came in direct response to the competition that charter school legislation represented.<sup>69</sup> Edmonton Public Schools rose to the challenge with new offerings to meet parents' demands for choice and quality.



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## *Charter Schools as Public Schools*

Charter schools are accountable directly to the Ministry of Education and not to any district school board. Charter schools must be run by a charter board which is accountable to students, parents, the community, as well as the Ministry of Education. Charters are term-specific but they may be renewed upon request as long as the school continues to demonstrate success.

Charter schools have many characteristics that make them similar to other public schools:

- ◆ Charter schools are as fully funded as a public school. Provincial grants flow directly to the school board.
- ◆ No tuition fees may be charged. Parents can be required to pay for certain instructional supplies and materials. Schools are free to fundraise and accept donations.
- ◆ The schools cannot deny access to any students, subject to limitations of space and resources.
- ◆ The schools may not be affiliated with a religious faith or denomination.
- ◆ Teachers must hold teaching certificates.
- ◆ Students must write provincial achievement tests and diploma exams.
- ◆ Student organizers are responsible for designing a student assessment model that will accurately measure how well students are achieving learning expectations.
- ◆ Schools must maintain a balanced budget.



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## *Alternative Programs*

Public school boards in Alberta have many opportunities to incorporate alternative programs within the fully funded public school system. Outside the province of Alberta, such specialized programs are generally available only in the context of private schools. Examples of Alberta alternative programs are the following: a Montessori program in Lethbridge, the International Baccalaureate in Calgary, the all-girls Nellie McClung school and a Science program in Edmonton. Alternative programs can also be developed in partnership with community organizations such as museums or cultural organizations.

In addition, programs offering religious instruction have been successfully incorporated into the public system, particularly in Edmonton where the Talmud Torah (Jewish) and the Logos (Christian) Schools are part of the public school system.

## *The Logos Schools<sup>70</sup>*

- ◆ Logos Christian Schools belong to the Edmonton Public School Board.
- ◆ The program is a non-denominational program which incorporates traditional Christian principles in all aspects of the curriculum, be they science, social studies, or literature. Explicit connections are made to Biblical events and truths.
- ◆ Activities such as morning prayers and reading scriptures are incorporated into the school day.
- ◆ The program follows the Alberta Program of studies and standards. Students write provincial achievement tests.
- ◆ The educational methods are based on the 'Cogito' program which emphasizes teacher-directed instruction. (Cogito is available as an alternative program outside the Logos group as well.)
- ◆ The principal and staff are expected to support the objective and mission of the program.
- ◆ Children who are not Christian may not be excluded. However, parents must provide signed agreement to the principles and values of the school. The program is not limited to a geographic attendance area.
- ◆ There are 8 schools with Logos programs (1,300 students). The program has been very successful and has been adopted by school districts outside of Edmonton.



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## *Private Schools*

The funding of private schools in Alberta is provided for under the School Act and its regulations. In 1997, a Task Force carried out a detailed survey of public opinion concerning private schools. Numerous issues were raised in a discussion paper which formulated opposing viewpoints in order to elicit thoughtful public opinion. The analysis of 8,986 responses and 911 written submissions and the task force's conclusions are readily available through the internet.<sup>71</sup>

All 26 recommendations of the Task Force were implemented in 1998. The major recommendations included the following:

1. Accredited private schools are those which follow the Alberta Program of Studies and achieve the same educational standards as public schools. A school must be in operation for one year before approval.
2. Funding should increase from 50% to 60% of the Basic Instructional Grant. There is no funding for capital costs, transportation or administration. However, when public schools receive special funding to implement changes to the Alberta Program of Studies, private schools will receive a proportionate grant.
3. Private schools continue to have the right to select students. A new requirement added in 1998 concerned any student who is expelled; the private school continues to be responsible for the education of that student to the end of the year.
4. Accountability requirements in place were maintained. Additional rules addressed accountability to both parents and the Ministry of Education. A school required a parent council in cases where parents did not make up a majority of the board. The Minister of Education could require routine information with regard to admission and tuition policies and expulsions.
5. In addition to teaching the same Alberta Program of Studies as public schools, a new requirement was introduced that private schools must NOT offer programs that "in theory or in practice will promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social Change through violent action, or disobedience of laws."
6. The school must designate a principal who has an approved teaching certificate.
7. Tuition fees can be charged with no limits set by the government.



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Additional requirements are listed in the "Private Schools Reference Manual" published by Alberta Learning and based on legislation in the School Act (Section 28) and Private School Regulations. The private school must:

- ◆ Be incorporated as a non-profit legal entity
- ◆ Submit an annual Three-Year Education Plan
- ◆ Submit an Annual Education Results Report
- ◆ Submit budget reports, financial statements
- ◆ Maintain student records, as specified
- ◆ Use provincial learning outcomes, provincial achievement tests (given in grades 3, 6, and 9) and diploma examinations (for grade 12)
- ◆ May be affiliated with a religious faith or denomination. May provide religious or patriotic instruction. Parents' requests to exclude children from religious or patriotic instruction may or may not be granted by the private school authority
- ◆ Hire teachers eligible for certification in Alberta
- ◆ Provide minimum curriculum hours (950 hours for grades 2-9 and 1000 hours for grades 10-12)

### *Special Education Private Schools*

Private schools that meet special education needs are recognized as a unique and distinct category of private school. They receive equivalent funding to public school special education programs. This includes full amounts for basic instruction, operations and maintenance costs, and transportation.

Once it is determined that a child is in need of special education, the parent is entitled to choose the program whether it is in the public system or in a private school. They can choose a program offered at a private school even when there is a similar program offered by the public school board. If this choice is made, funding is transferred from the public system.

The Task Force made some recommendations to streamline the appeals process for parents seeking approval for placement of their child in a special education program. The recommendations were to provide mediation or arbitration approaches to the appeals, and to allow for multi-year approvals.



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## *Religious Education in England*

England operates according to a “dual” system of state-sponsored non-religious (“fully maintained”) and religious (“voluntary”) schools in accordance with provisions laid out in the 1944 Education Act. There are nearly 5000 Church of England and Church of Wales schools in the UK. There are also about 2000 Roman Catholic schools. Almost one million children attend state-supported Anglican schools alone. The range of faith-based schools also includes Methodist, Jewish, Muslim, and Sikh.

Funding for faith-based schools varies slightly depending on the type of school in question (e.g., “Voluntary Aided,” “Foundation,” or “Voluntary Controlled” schools; for an explanation of these distinctions and their reasons see <http://www.natsoc.org.uk/downloads/publications.php>, under the link to “Governing and Managing Church Schools,” pp. 105-116). In the main, however, faith-based schools are funded for 100% of operating costs (paying teachers, providing books and resources, etc.) and 85-90% of capital costs. The amount contributed by religious groups has steadily declined since 1944.

In 2001, the Church of England decided to expand the number of its secondary schools to 100. This development was welcomed by the Government, which at the same time encouraged the setting up of state-funded faith-based schools by other religious groups (DFES Green Paper, *Schools Building on Success*, 2001).

It is a given that all faith-based schools in the UK accorded status in the maintained sector are funded on an equal basis despite the Church of England's majority position. As the “The National Society (Church of England) for Promoting Religious Education” states on its website, “of course, other churches and religions receive the same state support”.





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## *Appendix 2*

### *Religious School Associations in Ontario<sup>72</sup>*

	Association	# of Students	# of Schools	Contact Person	Telephone
1	ACSI Association of Christian Schools International	8,000	85	Mr. Mark Kennedy	705-728-7344
2	Armenian Schools	550	3	Mr. Apkar Mirakian	416-822-1610
3	Coptic Orthodox Church Schools	250	2	Mr. Gameel (Jim) Agban	905-890-3450
4	Greek Orthodox	200	1	Metropolitan Archbishop Sotirios	416-429-5757
5	ISNA Islamic Society of North America	3,500	30	Mr. M.D. Khalid	905-403-8406 Ext. 230
6	LCRS League of Canadian Reformed School Societies	1,070	12	Mr. Hans Van Dooren	905-574-4011
7	OACEA Ontario Accelerated Christian Education Association	3,000	95	Mr. Dave Mathieu	519-371-2389
8	OACS Ontario Alliance of Christian Schools	14,000	74	Mr. Adrian Guildemond	905-648-2100
9	OAJDS Ontario Association of Jewish Day Schools	12,000	45	Mr. Aaron Blumenfeld Mr. Ira Walfish	416-636-1647
10	Rehoboth Christian School Society	1,123	4	Mr. Jack Westerink	905-627-5977
11	SDAS Seventh Day Adventist Schools	964	8	Mr. Dennis Marshall	905-571-1022
12	Sikh Khalsa Community School	250	1	Mr. Ripsodhak Singh Grewal	905-678-0603





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*Appendix 3*  
*Religious Independent Schools*  
*and Enrolment in 2002-2003*<sup>73</sup>

Year	Type of School	# of Schools	Enrolment
2002-2003	Amish schools	17	480
2002-2003	Armenian schools	3	523
2002-2003	Christian	173	27,353
2002-2003	Islamic schools	28	4,036
2002-2003	Jewish schools	39	11,857
2002-2003	Mennonite schools	76	3,475
2002-2003	Roman Catholic schools	11	2,556
2002-2003	Seventh Day Adventist schools	10	1,105
	<b>TOTAL</b>	<b>357</b>	<b>51,385</b>





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## *References*

1. Bernard, J. Shapiro, *The Report of The Commission on Private Schools in Ontario*, October 1985, p.40 - from now on referred to as "The Shapiro Report".
2. Statement to the Legislature, William G. Davis, Premier, June 12, 1984.
3. Throughout this proposal the term "religious schools" is used interchangeably with "Faith-based schools." Both terms are meant to apply to denominational or parochial schools, teaching one particular religious belief.
4. The children in independent schools comprise 4.88% of Ontario school-age children in the academic year 2000/01. Source: Quick Facts, Ministry of Education.
5. Based on information provided by the Ministry of Education, as reported by schools in the School September/October Report, for the year 2002/03, there were 121,447 students enrolled in private schools (including First Nations and Overseas Schools). Of this number, based on the data as reported by private schools in the School October Report for Private Schools, 2002-2003, Section I, there were 51,385 in Religious Private Schools. (See Appendix 3 for a description of the religious schools by religious group).
6. The Shapiro Report, October 1985, p. 8.
7. 2004 Ontario Budget Paper.
8. They number 43 out of 801 independent schools in Ontario, Conference of Independent Schools.
9. The Daily, Statistics Canada, July 4, 2001.
10. Mark Holmes "The Funding Of Private Schools In Ontario: Philosophy, Values And Implications For Funding", Appendix E to the Shapiro report.
11. The Shapiro Report states that "the average per-pupil operating cost in the private schools would appear to be about 36% less than in the public systems", p. 7.
12. Dr. Dalton J. McGuinty, Trustee, Ottawa Board of Education, from the submission to the Shapiro Report, December 27, 1984.
13. The Toronto Star, *Making a Difference in Students' Lives*, July 31, 2004, p. H4.
14. R.S.O. 1990, c. E.2, s. 16(6).
15. Dr. Dalton J. McGuinty, *ibid*.
16. The Honourable John Gerretsen, Kingston and the Islands, Hansard, Legislative Assembly of Ontario, June 17, 2003.



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17. The Honourable Michael Bryant, St. Paul's, Hansard, Legislative Assembly of Ontario, June 16, 2003.
18. Neil Finkelstein, Appendix D of The Shapiro Report, p. 93.
19. Adler v. Ontario [1996] 3 S.C.R. 609.
20. Waldman v. Canada, United Nations Human Rights Committee Communication, No. 694/1996, p. 12.
21. Reginald Bibby, Canadians and School Options: A National Reading at the Turn of the New Century, A Summary Report Prepared for the Ontario Alliance of Christian Schools, January, 2000. p. 6.
22. The Daily, Statistics Canada, July 4, 2001. According to Statistics Canada, the proportion of children who come from households with an annual income of between \$50,000 and \$100,000 is the same in private and public schools.
23. From the letters sent to Finance Minister Sorbara, fall 2003.
24. The Shapiro report, p. 50.
25. Greene, Jay P., Joseph Giammo, and Nicole Mellow, "The Effect of Private Education on Political Participation, Social Capital, and Tolerance: An Examination of the Latino National Political Survey." Georgetown Public Policy Review 5(1): 1999, p.53-74.
26. Council of Ministers of Education, Canada, [www.cmec.ca/index.en.html](http://www.cmec.ca/index.en.html), SAIP Scores by Province.
27. Government of British Columbia, 2002, Intra-Provincial Education Statistics Project: Summary of School Statistics from the Province and Territories. Data covering school year 2000, 2001.  
Available digitally at [www.bced.gov.bc.ca/school/intra-provincial/interp02.pdf](http://www.bced.gov.bc.ca/school/intra-provincial/interp02.pdf).
28. The Shapiro Report, p. 40.
29. The Shapiro Report, p. 49.
30. Waldman v. Ontario, United Nations Human Rights Committee, November 3, 1999.
31. The success of Alberta's education system can be demonstrated both by the high achievement scores on international tests, and the efficiency of its resource-use and decision making. Alberta managed to afford an impressive range of educational choices on a close to average per pupil expenditure when compared with other provinces. See the Government of British Columbia, 2002, Intra-Provincial Education Statistics Project: Summary of School Statistics from the Province and Territories. Data covering school year 2000, 2001.  
Available digitally at [www.bced.gov.bc.ca/school/intra-provincial/interp02.pdf](http://www.bced.gov.bc.ca/school/intra-provincial/interp02.pdf).



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32. The Toronto Star, Making a Difference in Students' Lives, July 31, 2004, P. H4.
33. Dr. Dalton J. McGuinty, from the submissions to the Shapiro Report, December 27, 1984.
34. It is estimated that although 51,000 students are eligible for funding, only approximately 40,000 students will actually receive funding. This estimate is based on discussions with various faith-based school associations who will not accept government funding, for various reasons. The reduced charitable receipts issued by the schools, as tuition drops substantially, accounts for the additional reduction in the overall cost to the government. It should be noted that the Equity in Education Tax Credit cost the government only \$29,000,000 in 2002, while the government estimated the cost at \$165,000,000.
35. As reported by schools in the School September/October Report, 2003, including First Nations and Overseas Schools.
36. As reported by private schools in the School October Report for Private Schools, 2002-2003 Section 1 (See breakdown in Appendix 3)
37. The Shapiro Report, P.1.
38. R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
39. Chapter I, Section 1, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
40. Chapter VI, Division I, Section 96, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
41. Chapter VI, Division I, Sections 95, 104, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
42. Chapter VI, Division III, Section 109, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
43. Chapter II, Section 10, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
44. Chapter II, Section 12, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
45. Chapter II, Section 18, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
46. Chapter V, Division I, Section 77, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
47. Chapter V, Division I, Section 78, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
48. Chapter V, Division II, Section 84, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
49. Chapter V, Division II, Section 85, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
50. Chapter V, Division III, Section 91, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.



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51. Chapter IV, Section 66, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
52. Chapter IV, Section 67, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
53. Guide d'ouverture pour un etablissement d'enseignement prive. Par. 2.7.1.
54. Chapter III, Division I, Section 25, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
55. Chapter III, Division I, Section 31, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
56. Chapter III, Division I, Section 32, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
57. Chapter III, Division I, Section 35, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
58. Chapter III, Division I, Section 36, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
59. Chapter III, Division I, Section 37, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
60. Chapter III, Division V, Section 50, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
61. Chapter III, Division VI, Section 65, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
62. Chapter IV, Division IV, Section 93, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
63. Chapter VII, Sections 111, 112, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
64. Chapter VIII, Section 115, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
65. Chapters IX, X, Divisions I, II, III, Sections 119, 122, 125, 128-137, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
66. Chapter III, Division I, Section 32, R.S.Q., Chapter E-9.1, An Act Respecting Private Education.
67. Government of Alberta website: Alberta Learning; "Back to School Information Kit, 2003-2004."
68. Charter Schools Handbook, Alberta Learning, December 2002.
69. Edmonton's Enterprise, by Emery Dossdall, in The School Administrator, May 2001. (web edition).
70. Background Material for Teachers and Principals in the Edmonton Logos Christian Program, prepared by Edmonton Logos Society, September 2000.
71. [Http://www.learning.gov.ab.ca/news/1998nr/Mar98/privRpt1.asp](http://www.learning.gov.ab.ca/news/1998nr/Mar98/privRpt1.asp).
72. Information provided by the various associations.
73. As reported by private schools in the School October Report for Private Schools, 2002-2003, Section 1.



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