

OPEN (ONE PUBLIC EDUCATION NOW) SUMMARY

What You Can Do – Help Fund Our Legal Challenge – Even \$10 Helps!

- ◆ OPEN is a coalition of groups and individuals who have hired the law firm of Adair Goldblatt Bieber LLP, and continue crowdfunding for a constitutional challenge in our courts to eliminate the public funding of the duplicate Catholic Separate school system. As of February 2021, we have raised over \$78,000, but we know we will need more. We have paid \$30,900 in invoiced legal and expert witness fees, have given a further \$25,000 in trust to our lawyers for future legal fees and expenses, and the rest of our funds are in our credit union savings and chequing accounts.
- ◆ Some of us have religious affiliations and some of us don't, but we all believe in one non-denominational two-language public school system. It has been estimated the elimination of the separate system could save 1.25 to 1.6 billion dollars yearly.¹
- ◆ One of the plaintiffs in our legal case is a high school teacher who for 11 years until fall 2020 could obtain only supply or long-term occasional teaching. She cannot qualify for a position in approximately **one-third of the publicly-funded** teaching positions in her area because she is not Catholic. Yet the Hamilton-Wentworth Catholic District School Board receives **only about 7%** of its operational funding from residential property taxes; it receives about **78% of its operational funding, and all of its capital funding**, from general provincial revenues.² That is, from all of us, religious and not religious, Catholic or not Catholic.
- ◆ Separate school boards received, from 2011-12 to 2017-18, about **\$1,600 more per student every year than public schools** in operational funding from general provincial revenues from the provincial government.³
- ◆ Another plaintiff is a parent of two children who go to public French schools. The closest publicly-funded French school is about a 20 minute drive away. But his children have to be bused for about 55 minutes each way because the closest publicly-funded French school is Catholic Separate and he wants his children to have a public school education.
- ◆ Our constitutional challenge is based on the principle that the funding of the Ontario separate school system violates the *Charter of Rights and Freedoms*, s.15, which guarantees everyone the equal benefit and protection of the law. With the abolishment of separate schools in Quebec in 1997, and other changes to the legal landscape, the *1987 Reference re Bill 30*⁴ case which said the Charter did not apply to the funding of Ontario separate schools should be re-examined.
- ◆ To contribute to our legal challenge and find out more about the financial costs of the separate school system, and other related issues, go to <https://open.cripeweb.org/aboutOpen.html> or email us at OPEN@cripeweb.org.
- ◆ OPEN is hosted on the CRIPE (Civil Rights in Public Education) website, an incorporated non-profit working for one public non-denominational two-language school system since 1993.

¹ Federation of Urban Neighbourhoods of Ontario, *Ontario Public and Catholic School Merger Study*, March 2012

² Freedom of Information Request FOI EDU-160070, Feb. 2017.

³ Freedom of Information Request FOI EDU-160070, Feb. 2017; FOI EDU-180020 (Aug. 2018)

⁴ [1987] 1 S.C.R. 1148