



Education Equality in Ontario

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Good Afternoon. My name is Geraint Jones and I am presenting to you today, together with Leonard Baak, on behalf of Education Equality in Ontario; an organization in which we are both directors. Education Equality in Ontario is a non-governmental human rights organization and education advocacy group that seeks the merger of Ontario's public and separate school systems into a single, secular, school system for each official language (one English, one French).

For well over a hundred years, the Ontario school system has segregated children along religious lines; or at least, into Catholic and non-Catholic sectors. In the nineteenth century, there may have been a legitimate purpose for that segregation that justified the cost of the resulting duplication. Neither the segregation nor the resulting duplication can be justified today.

Financial challenges arising as a result of declining enrolment, rising costs, and government policies have contributed to a new annual phenomenon: school board funding crises. Neither public nor separate school boards are immune from the effects of this phenomenon. Despite recent funding improvements, most school boards are continuing to cut programs and facilities of great value to the communities they serve. This trend cannot be allowed to continue. It must be – and can be – reversed.

A School System in Crisis

The province of Ontario spends \$17.5 billion annually on education. Despite this, many of our school boards still face financial crises every year. The Ottawa-Carleton District School Board (OCDSB) is facing a \$28 million shortfall (over \$400 per child)¹, the Toronto District School Board managed to avert a takeover by amongst other things decreasing maintenance spending by \$40 million, the Toronto Catholic District School Board needed to implement a two year plan to balance its budget, and the Dufferin-Peel Catholic District School Board had a co-management team appointed by the Minister of Education to assist them in the development of a balanced budget plan². The circumstances facing many of our school boards have led them to seriously deplete – or even to eliminate – their reserves in an effort to avoid cuts that will hurt the children in their charge.

Many school boards are also delaying much needed maintenance. As an example, the Ottawa-Carleton District School Board is now faced with a staggering maintenance backlog of over \$325 million³ – over half of its \$580 million annual budget. The province will provide only \$11 million to cover those repairs this year. At that rate, even in the absence of inflation, it will take nearly 30 years to catch up. It is clearly not enough. Compounding the problem is the fact that when maintenance problems are ignored, they tend to multiply. When you don't fix a leaky roof, you get mold, rotting rafters, and falling ceiling tiles. Yet that is what is happening across the province as school boards attempt to shield children and their families from the effects of insufficient

¹ Ottawa-Carleton District School Board, News Release, [OCDSB Releases Management Plan for 2007-2008 Budget – School District Faces a Pending Shortfall of Over \\$28 million](#), 10 Jan 2007.

² Ministry of Education, News Release, [Co-management team created to work with Dufferin-Peel Catholic District School Board](#), 10 Oct 2006.

³ [Report No. 06-248, Facilities Renewal Program 2006-2007 Planned Projects](#), Ottawa-Carleton District School Board, 15 Nov 2006.

funding.

School enrolment is decreasing⁴. In rural and northern areas and in many urban neighbourhoods, the decline has been particularly severe. That decline has presented new challenges to all Ontario school boards. Funding is tied to enrolment, and declining enrolment means declining funding. Complicating matters is the fact that seriously under-enrolled schools are also less cost-effective to run than schools where enrolment comes closer to the school's design capacity. It costs just as much to run, heat, and staff a half-empty school as it does a full one. While never popular, Minister Wynne and many trustees are now accepting that many seriously under-enrolled schools will have to close. Ontario can simply not afford to continue to fund nearly 200,000 unused pupil places.

A Fundamentally Wasteful System

The unnecessary and wasteful duplication in the Ontario school system exacerbates the funding challenges facing our schools. Ontario can no longer afford to fund two competing school systems in each official language to serve students in overlapping jurisdictions. Ontario can no longer afford to bus tens (or hundreds?) of thousands of students past their nearest publicly-funded school each day to attend another publicly-funded school. Ontario can no longer afford to fund a religious school system where 70 to 80 percent of the families using the system do not even go to Church.⁵

Ontario's school funding formula recognizes that the more geographically dispersed students and schools of English Catholic and French Public school boards put them at a cost disadvantage compared to their larger coterminous boards (English Public and French Catholic). The formula mitigates that disadvantage through higher funding for the Administration and Governance, Geographic Circumstances, and Transportation grants received by the smaller school boards. Even the larger boards, however, have lower student and school density than they would have under a single school system. They too require higher funding for these same grants than they would under a single school system. The funding formula implicitly recognizes the inefficiency of the status quo.

Local Inequities

On top of the wasteful duplication in our school system, the funding formula often favours separate school boards. Let's start with ESL funding. The funding formula provides 50% of the funding based on actual ESL enrolment and the remaining 50% based on total student enrolment and the Statistics Canada ESL rate for the geographic region. Figures from EQAO and board enrolments show that the ESL enrolment rates in two of the larger public boards in the province (Toronto and Ottawa) are 2 ½ times the enrolment rates of those in their coterminous separate boards. This means that boards with lower ESL enrolment rates receive a disproportionately large share of the ESL funding. In the case of the two Ottawa-Carleton school boards, the separate board receives 18% more funding per ESL student than its public counterpart. Hardly fair!

⁴ by 6% in the last ten years despite population growth of over 14% (<http://www.edu.gov.on.ca/eng/educationFacts.html>)(<http://www12.statcan.ca/english/census01/products/standard/popdwel/Tabl-UR-D.cfm?T=1&SR=1&PR=35&S=3&O=D>)

⁵ According to Father James T. Mulligan in *Catholic Education: Ensuring a Future* (Ottawa: Novalis, 2005), three-quarters of the families using publicly-funded Catholic schools today are "unchurched".

**2005-2006 Figures for ESL –
Figures from letter from MOE
October 2005**

	Total Enrolment (FTE)	ESL Students	% ESL per total	Government Grant	Per ESL Student Funding
OCCSB	38648.04	872	2%	\$ 2,244,306	\$2,573.75
OCDSB	67940.21	3525	5%	\$ 7,671,033	\$2,176.18
				Difference Per student	\$ 397.57

18%

OCCSB receives \$397.57 more than the Ottawa public board. That is **18%** more.

Table 1: ESL funding in Ottawa publicly-funded school boards

Another area of inequitable funding is transportation. The province gives the Ottawa-Carleton Catholic School board 46% more funding per student than the Ottawa-Carleton District School Board. This inequity continues despite the fact boards have a similar need as measured by urbanization and average distance to school factors. Such local funding inequities highlight the need to move to one school system.

		2002/2003	2003/2004	2004/2005	2005/2006	2006/2007
OCDSB	Transport	\$ 23,446,237	\$ 24,232,704	\$ 24,932,935	\$ 26,048,508	\$ 26,462,511
	Enrollment	72,335	69,820	68,907	67,820	66,993
	Per Pupil Transport Funding	\$ 324	\$ 347	\$ 362	\$ 384	\$ 395
OCCSB	Transport	\$ 20,020,942	\$ 20,673,577	\$ 21,102,678	\$ 21,986,024	\$ 22,389,324
	Enrollment	39,120	38,662	38,753	38,679	38,779
	Per Pupil Transport Funding	\$ 512	\$ 535	\$ 545	\$ 568	\$ 577
Amount OCCSB receives per pupil more than OCDSB		\$ 188	\$ 188	\$ 183	\$ 184	\$ 182
Increase required in OCDSB grant to be equitable with OCCSB		58%	54%	50%	48%	46%

Table 2: Transportation funding inequity in Ottawa publicly-funded school boards

These transportation inequities have persisted for over 8 years. Despite acknowledgement from Ministry of Education staff that there is a problem, nothing has been done to address it. Recently, however, the provincial government mandated transportation consortia as a cost saving measure. This plan is an implicit admission that joint administration and joint management of resources are financially beneficial. The same idea can be applied across other types of contracted service used by school boards. Purchasing consortia for supplies are another area of joint endeavour that will save public money.

Moving to one system will realize all of the advantages of joint administration to a greater degree than with two systems and it will realize further efficiencies from the elimination of overlapping services.

Ontario's Shame

Ontario separate schools have an absolute right to refuse admission to non-Catholic students up to grade 9 and can and do refuse employment to non-Catholic teachers at all grade levels. Only Ontario Catholics enjoy publicly-funded school choice and they bear no additional tax burden for the privilege. They suffer no disadvantage that might warrant such preferential treatment. By allowing this blatant discrimination to continue, the Government violates the equality rights of over **seven million** non-Catholic Ontarians, discriminating against them on the basis of their faith or

their lack of a faith.

Furthermore, figures collected from Statistics Canada for the Ottawa region tell a disturbing story. Whilst 45% of the region is Catholic, only 17% of visible minorities are Catholic. It is evident from these figures that religious segregation also results in de facto racial segregation⁶.

In November 1999, the UN Human Rights Committee found Canada in violation of the equality provisions in the International Covenant on Civil and Political Rights by virtue of the discrimination in the Ontario school system⁷. The Committee censured Canada again in November 2005 for failing to “adopt steps in order to eliminate discrimination on the basis of religion in the funding of schools in Ontario.”⁸ Canada is now defending Ontario against a charge of religious discrimination in employment in the Ontario school system in another complaint to the Committee. That complaint could very well result in a third censure.

The Way Forward

The discrimination in the Ontario school system cannot be addressed affordably by extending comparable funding to non-Catholic religious groups. Additionally, such extended funding would only compound the duplication penalty borne by the Ontario taxpayer, further fragment our school system, and do nothing to address the discrimination in publicly-funded school choice affecting millions of Ontarians.

Instead, we believe that only one English language and one French language school system should enjoy full public funding in Ontario today. Furthermore, admission and employment in those public systems should be open to all Ontarians without discrimination.

One school system will put an end to the discrimination that characterizes our school system and will help to alleviate the financial challenges facing our school boards. One school system will facilitate the creation of additional non-exclusive education options such as arts, technical, and sports programs – options that are open to all children without discrimination. One school system will reduce average bus commutes and result in more students walking to school. One school system will also enable school boards to rationalize their inventory of seriously under-enrolled schools in a manner that minimizes the impact to the communities they serve. That rationalization is coming whether we like it or not, but by merging under-enrolled public and separate schools, many communities now facing the total loss of their school will be spared that eventuality. Such merged schools will operate more cost-effectively than those they replaced; creating more savings that will add to the possibilities for program enhancements.

Ontario could move towards a single publicly-funded school system with **or without** constitutional change. Section 43 of the [Constitution Act, 1982](#) provides a mechanism through which constitutional change affecting one or more, but not all provinces (such as [denominational school rights](#)) can be accomplished through a bilateral amendment between the affected province(s) and the Parliament of Canada alone. Quebec and Newfoundland both eliminated denominational school rights through such an amendment⁹ in the late 1990s. The Newfoundland amendment was obtained with blinding speed; being proclaimed just four months after being requested by the provincial legislature. Manitoba eliminated denominational schools unilaterally in 1890, despite a constitutional “obligation” to provide them virtually identical to Ontario’s.

Conclusion

In closing, ask yourself this. If you were required to set up a school system today from scratch, would you set up two parallel systems serving overlapping jurisdictions while competing for student market share? Would your system discriminate in favour of a single, *non-disadvantaged* faith group while denying equal consideration to all others? I suspect – I hope – your answer

⁶ Statistics Canada - Cat. No. 97F0022XCB2001005

⁷ UN Human Rights Committee, Communication No 694/1996 : Canada. 05/11/99.

⁸ UN Human Rights Committee, Concluding observations of the Human Rights Committee : Canada. 02/11/2005.

⁹ See Constitution Amendment, 1997 (Québec) and Constitution Amendment, 1998 (Newfoundland Act).

would be no. In which case, is there any justifiable reason to continue funding a financially burdensome system and perpetuate an historical injustice?

One school system will not, by itself, resolve all of the funding difficulties facing our school system. It will, however, realize savings that will facilitate a significant and permanent injection of funds into the classroom, where they will benefit all students and eventually our economy.

We urge you to act. Act to end the discrimination that favours a single, non-disadvantaged minority with opportunities available to no others. Act to stop the segregation of our children along religious lines bring them together in a school system that promotes mutual respect and understanding between Ontarians of different backgrounds. Act to end the waste that threatens the viability or even the existence of programs and facilities of great value to the communities they serve.

Ontarians should not have to wait any longer for fairness and fiscal responsibility in our school system.

Thank you for giving us the opportunity to speak to you today. We would be happy to take your questions.

Sincerely,

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