

New twist in Long-Running Issue of Funding For Faith-Based Schools - Jewish Group Proposes Funding If Schools Adhere To Standards

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It was almost imperceptible, but the ground shifted this week on the issue of public funding for private religious schools.

The issue has been on the agenda of Ontario politics since that June day in 1984 when then-premier Bill Davis announced that Catholic schools would get full funding. Christian fundamentalists, Jews, Muslims and others asked: What about us?

For the better part of two decades, however, there was an all-party consensus at Queen's Park that such funding was due to the Catholic schools for historical and constitutional reasons, but not to other religions.

The courts upheld this position, and no number of resolutions at the United Nations or changes in other provinces could shake the politicians off it.

Until May of 2001, that is, when Jim Flaherty (then the provincial finance minister in the Mike Harris government) brought down a budget with a tax credit for parents with kids at private schools, religious or otherwise.

It was a controversial move that split the ruling Conservatives and left them vulnerable to criticism that the tax credit would go to parents who sent their children to elite schools like Upper Canada College or to schools with unqualified teachers who preach intolerance.

The Liberals campaigned hard - and successfully - against the tax credit, and they repealed it almost as soon as they took office in 2003. That appeared to settle the issue.

But this week, the Canadian Jewish Congress (Ontario region) formally adopted a position on funding for religious schools that attempts to shift the debate away from a tax credit toward ground that is less radioactive politically.

Specifically, the Jewish congress adopted a set of principles that should govern funding for religious schools, including:

"Ontario faith-based schools should be treated in an equitable and fair manner, regardless of religious affiliation."

"Just as schools in the public sphere follow criteria established by the Ministry of Education, faith-based schools would also meet appropriate approved provincial criteria."

"Faith-based schools would meet appropriate approved provincial accountability requirements."

With these principles, the Jewish congress is consciously echoing a 21-year-old report commissioned by Davis at the same time as he announced full funding of Catholic schools.

The report was authored by Bernard Shapiro, then head of the Ontario Institute for Studies in Education. (Shapiro went on to become deputy minister of education in Ontario, principal of McGill University and, latterly, federal ethics commissioner.)

Shapiro recommended that there be direct public funding for religious schools that agreed to operate in "association" with local school boards. In return for the funding, the schools would have to agree to open their admissions, to hire certified teachers and to follow the provincial curriculum.

It seemed to be an elegant compromise. But by the time Shapiro handed down his report in 1985, the government had changed, from Conservative to Liberal. The report was shelved.

Now, it is being dusted off, at least by the Jewish congress. Quips Shapiro: "Royal commissions don't leap into history; they seep into history."

The Jewish congress plans to press its principles on politicians of all parties at Queen's Park in hopes of relaunching a debate on funding of religious schools.

This could pose a problem for John Tory, the provincial Conservative leader. He has promised the Conservative platform will include a plank that deals with "the fairness issue" in funding for religious schools. But he has been careful not to commit himself to a Flaherty-style tax credit.

Within the ranks of Tory's party, however, the tax credit remains popular with two groups: the neo-conservatives (because it is a market-oriented solution) and theo-conservatives (because it does not attempt to impose state-mandated restrictions on faculty or curriculum in religious schools).

So, Tory risks alienating the neo-cons and the theo-cons if he deviates from the tax credit idea in his platform.

By the same token, however, if the Conservative platform includes a Shapiro-like plank, that could pose a problem for Premier Dalton McGuinty and the Liberals.

The Liberals are salivating at the prospect of campaigning against a Conservative proposal for restoration of the tax credit, because they see it as an easy target. But if Tory proposes something more nuanced, it will be harder to attack and, indeed, it might appeal to elements within the Liberal party who believe that denying school funding to all religions other than the Catholics is indefensible on equity grounds.

All of which suggests the ground is shifting in this debate, in ways that are not entirely predictable.