

Religion and Education in the Provinces of Quebec and Ontario

William Hoverd, Erin LeBrun and Leo Van Arragon

Introduction

While public schools in Ontario and Quebec are generally understood to be secular spaces in which religion has a clearly prescribed and limited role, this report demonstrates two things. The first is that the secularization of public education is a relatively recent phenomenon in both provinces and second, secularization is a broad and malleable term in public education with widely varying and contested interpretations and applications. Moreover, we point out that while secularization of public schooling has successfully addressed some concerns relating to the treatment of religious minorities in public education, those changes have themselves generated challenges from religious minorities. The report includes reflections on selected current issues in light of the complex and contested history of religion in public education, concluding with a number of recommendations for further research.

Section One outlines the key constitutional provisions and the legislative and regulatory framework for religion in public education in Quebec and Ontario. Section Two provides a brief historical background of the current situation regarding education and religion in Quebec and Ontario public education. Section Three is a summary of private, independent and home schooling. In Section Four, we summarize some current issues which demonstrate the complexities of religion in public education. Section Five is a brief reference to religion in colleges and universities. The report concludes in Section Six with recommendations for further research.

Context

The *Constitution Act of 1867* created a federal system of government featuring a division of powers between the central and provincial governments. *Section 93* of the *Constitution Act* designated education as a matter of provincial jurisdiction, considered an essential condition to protect regional cultural and religious identities. As a result there is a great deal of variation in Canada in the regulation of religion and education among the provinces and in the ways religion is practiced in public education.

In Quebec, prior to the quiet revolution taking place during 1960s, education was overseen by the Churches. As most of the population was Catholic, the Roman Catholic Church ran the majority of schools. As will be seen later, it was not until 1964 that the Quebec government began to administer a public school system (Bumstead 376). In Ontario, a dual school system, consisting of “common schools” and “separate schools” was entrenched, reflecting the pre-Confederation work of Egerton Ryerson, who was the primary architect of the common school system (Bedard and Lawton, 2000, p. 245). “Common schools” were characterized as non-denominational Protestant schools based on a common Christianity while “separate schools” included a variety of denominational Protestant schools, “Coloured” schools and Roman Catholic schools.

Through the 19th and 20th centuries, there was substantial change in the education systems of the two provinces; however, the emphasis of this project is on developments from 1960 to the present with particular attention paid to the *Charter* challenges and their implications for education legislation and regulation after 1982. This was a period of considerable change for the education systems of both provinces of which one of the results was that the explicit Christian values defining public schooling were declared unconstitutional.

Section One: Constitutional framework, education Legislation and regulation

Constitution Act of 1867

Section One of the Report gives a summary of the key constitutional provisions, legal decisions and regulatory outcomes for religion in public education. These are given more historical context in Section Two of the Report

The *Constitution Acts of 1867 and 1982* provide the constitutional framework for Canadian law. Section 93 of the *Constitution Act of 1867* identifies education as a matter of provincial jurisdiction,

93. In and for each Province the Legislature may exclusively make Laws in relation to Education, subject and according to the following Provisions:--

(1) Nothing in any such Law shall prejudicially affect any Right or Privilege with respect to Denominational Schools which any Class of Persons have by Law in the Province at the Union:

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

(3) Where in any Province a System of Separate or Dissentient Schools exists by Law at the Union or is thereafter established by the Legislature of the Province, an Appeal shall lie to the Governor General in Council from any Act or Decision of any Provincial Authority affecting any Right or Privilege of the Protestant or Roman Catholic Minority of the Queen's Subjects in relation to Education:

(4) In case any such Provincial Law as from Time to Time seems to the Governor General in Council requisite for the Execution of the Provisions of this Section is not made, or in case any Decision of the Governor General in Council on any Appeal under this Section is not duly executed by the proper Provincial Authority in that Behalf, then and in every such Case, and as far as the Circumstances of each Case require, the Parliament of Canada may make remedial Laws for the due Execution of the Provisions of this Section and of any Decision of the Governor General in Council under this Section.

93A. Paragraphs (1) to (4) of section 93 do not apply to Quebec.

Constitution Act of 1982

Legal challenges to the dominance of Christianity in the 1980's were based on the Sections 2 and 15 of the *Constitution Act of 1982* or the *Charter of Rights and Freedom*, of which Section 2 says

Everyone has the following fundamental rights and freedoms:

(a) freedom of conscience and religion;

(b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

and Section 15 (1) says,

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

While the *Charter of Rights and Freedoms* supersedes all legislation in Canada, its interpretation for educational legislation was specific and unique to each province, education being a matter of provincial jurisdiction.

Quebec

The *Quebec Charter of Human Rights and Freedoms*, adopted in 1975, gave parents the right to “‘require’ a public education for their children consistent with their religious and moral convictions” (Gazette D8).

Section 37 of the *Quebec Education Act* states that all schools must show respect for the freedom of conscience and religion of students, parents and staff.

In 1997, the Quebec government obtained the abrogation of *Section 93* of the *Constitution Act of 1867*, removing provisions for denominational education, in the public education system. Historically in Quebec, this article had been used to protect separate religious instruction for Protestants and Catholics in the province. At the same time, *article 41* of the *Quebec Charter* was amended now stating that “[p]arents or the persons acting in their stead have a right to give their children a religious and moral education in keeping with their convictions and with proper regard for their children’s rights and interests.” These changes removed the obligation from the state and allowed the Quebec government to bring confessional school boards to an end while moving toward the creation of secular public schools.

Ontario

In Ontario, the regulation of religion in education is specified in the *Education Act*, which must, like all legislation, comply with the *Constitution Act of 1867* and the *Constitution Act of 1982*. The *Education Act* has gone through numerous changes reflecting changes in governance, educational philosophy and demographics, but, until 1990, the role of religion in public education remained relatively stable. However, 1990 was a watershed year in the regulation of religion in Ontario public education.

The *Education Act* in 1980 clearly still assumed Christianity to be the inclusive, dominant ethos of public schools and included the following regarding the role of Christianity and religious programming in public education.

...to provide pupils with a religious context, primarily Christian, in which to develop appropriate responses to life's situations. It should not be assumed by a statement of this objective that other religions and even nonreligious interests are to be ignored. Rather it is hoped that moral, ethical and religious consensus which they hold in common with Christianity will be the primary content in any religious education program in the public schools. (*Regulation 262, s. 28(4) of the Education Act, 1980*)

Charter challenges to Regulation 262, 1988 - 1990

The current legal space for religion in public schools was established in four court cases arising out of *Charter* challenges in a relatively short period of time from 1985 to 1996. *Zylberberg v. Sudbury Board of Education (1988)* (hereafter *Zylberberg*), *Canadian Civil Liberties Association v Ontario (Minister of Education (1990))* (hereafter *Elgin County*), *Bal et al v Attorney General of Ontario (1994)* (hereafter *Bal*) and *Adler v Ontario (1996)* (hereafter *Adler*) provide a window on the changing social role of religion and the often conflicted positions within and between religious communities in the discourses on religion.

In *Zylberberg* and *Elgin County*, Jewish and Bah'ai parents successfully challenged *Regulation 262* of the *Education Act (1980)* and the dominance of Protestant Christianity in school opening exercises and in religious instruction. The courts agreed that the Christian school opening exercises and Christian religious instruction in public schools were coercive and therefore a violation of the *Section 2* and *15* rights of minority religious groups. The remedy was to declare public schools as secular spaces free of coercion and intimidation in which all religions were to be treated equally. As a way to conceptualize the role of religion in public school programs, the court in *Elgin County* adopted the distinction between “education about religion” and “religious education” saying,

- The school may sponsor the *study* of religion, but may not sponsor the *practice* of religion.

- The school may *expose* students to all religious views, but may not *impose* any particular view.
- The school's approach to religion is one of *instruction*, not one of *indoctrination*.
- The function of the school is to *educate* about all religions, not to *convert* to any one religion.
- The school's approach is *academic*, not *devotional*.
- The school should *study* what all people believe, but should not teach a student *what* to believe.
- The school should strive for student *awareness* of all religions, but should not press for student *acceptance* of any one religion.
- The school should seek to *inform* the student about various beliefs, but should not seek to *conform* him or her to any one belief. (Emphasis included in the original).
(*Elgin County* 1990)

Policy Memorandum 112

Sensitive to the courts' assessment that *Section 262* represented coercion and exclusion, the Ontario Ministry of Education, immediately after the 1990 *Elgin County* decision, issued *Policy Memorandum 112* to all public boards instructing them to cease all religious instruction and any religious accommodation which could be construed as coercive, indoctrinational or exclusionary. Among other things, *Memorandum 112* replaced Christianity as the dominant ethos with "Canadian values", saying the following,

This permanent policy and forthcoming amendments to *Regulation 262* are to be understood within the context of the long-established vision of the public elementary and secondary schools as places where people of diverse backgrounds can learn and grow together. The public schools are open and accessible to all on an equal basis and founded upon the positive societal values which, in general, Canadians hold and regard as essential to the well-being of our society. These values transcend cultures and faiths, reinforce democratic rights and responsibilities and are founded on a fundamental belief in the worth of all persons. (*Policy Memorandum 112 (1991) Section VI* Ontario Ministry of Education)

Charter Challenges to *Memorandum 112*, 1994-1996

However, *Memorandum 112* and the changes to the ways religion could be accommodated in public schools, now identified as secular spaces, triggered two more Charter challenges. In *Bal (1994)* and *Adler (1996)* members of Jewish, Muslim, Sikh, Calvinist, Evangelical and Mennonite faith communities used *Section 2* and *15* arguments to challenge *Memorandum 112* and government policy which funded Roman Catholic schools and no other faith based schools. Making their case with arguments similar to those used successfully by the plaintiffs in *Zylberberg (1988)* and *Elgin Country (1990)*, they alleged that liberal secularism was coercive and exclusive just as Protestant Christianity had been before 1990. However, their arguments were rejected, the court in *Bal* saying,

The impugned policy memorandum and regulations do not infringe freedom of religion contrary to s. 2(a) of the *Charter*. To found a breach of s. 2(a), there must be some state coercion that denies or limits the exercise of one's religion. Secularism is not coercive, it is neutral. *Policy Memorandum 112* does not constitute a form of government action which prefers one religion over another, nor does it represent majoritarian religious views. The policy seeks to abolish distinctions in the public school system which are based on religion. The central thrust of the applicants' position was to bring the religious minority alternative schools under the aegis of the public school board to obtain financial support from that system. The decision of the Court of Appeal in *Adler (1994)* that there is no obligation on the government to fund minority religious schools is directly on point and determinative of the issue. (*Bal 1994*)

The court in *Adler* said, explaining why violation of the plaintiffs' Section 15 rights was justified:

The encouragement of a more tolerant harmonious multicultural society constitutes a pressing and substantial objective capable, provided its effect is duly proportionate,

of justifying the infringement of s. 15. The public school system represents the most promising potential for realizing a more fully tolerant society. (*Adler* 1996)

The Education Act since 1990, reflecting the court decisions, says the following in respect of religion in public education, emphasizing multiculturalism and equal treatment of all religions in opening exercises and programming.

OPENING OR CLOSING EXERCISES

4(1) This section applies with respect to opening and closing exercises in public elementary schools and in public secondary schools. O. Reg. 436/00, s. 1.

(2) The opening or closing exercises may include the singing of *God Save the Queen* and may also include the following types of readings that impart social, moral or spiritual values and that are representative of Ontario's multicultural society:

1. Scriptural writings including prayers.
2. Secular writings. O. Reg. 436/00, s. 1.

(3) The opening or closing exercises may include a period of silence. O. Reg. 436/00, s. 1.

(4) In the following circumstances, a pupil is not required to participate in the opening or closing exercises described in this section:

1. In the case of a pupil who is less than 18 years old, if the pupil's parent or guardian applies to the principal of the school for an exemption from the exercises.
2. In the case of a pupil who is at least 18 years old, if the pupil applies to the principal for an exemption from the exercises. O. Reg. 436/00, s. 1.

RELIGION IN SCHOOLS

27. Sections 28 and 29 do not apply to a Roman Catholic board or to a Protestant separate school board. O. Reg. 191/04, s. 8.

28 (1) A board may provide in grades one to eight and in its secondary schools an optional program of education about religion. R.R.O. 1990, Reg. 298, s. 28 (1).

(2) A program of education about religion shall,

- (a) promote respect for the freedom of conscience and religion guaranteed by the *Canadian Charter of Rights and Freedoms*; and

(b) provide for the study of different religions and religious beliefs in Canada and the world, without giving primacy to, and without indoctrination in, any particular religion or religious belief. R.R.O. 1990, Reg. 298, s. 28 (2).

(3) A program of education about religion shall not exceed sixty minutes of instruction per week in an elementary school. R.R.O. 1990, Reg. 298, s. 28 (3).

29(1) Subject to subsections (2) and (3), a board shall not permit any person to conduct religious exercises or to provide instruction that includes indoctrination in a particular religion or religious belief in a school. R.R.O. 1990, Reg. 298, s. 29 (1).

(2) A board may enter into an agreement with a Roman Catholic board that permits the Roman Catholic board to use space and facilities to conduct religious exercises or provide religious instruction for the purposes of the Roman Catholic board. O. Reg. 191/04, s. 9.

(3) A board may permit a person to conduct religious exercises or to provide instruction that includes indoctrination in a particular religion or religious belief in a school if,

(a) the exercises are not conducted or the instruction is not provided by or under the auspices of the board;

(b) the exercises are conducted or the instruction is provided on a school day at a time that is before or after the school's instructional program, or on a day that is not a school day;

(c) no person is required by the board to attend the exercises or instruction; and

(d) the board provides space for the exercises or instruction on the same basis as it provides space for other community activities. R.R.O. 1990, Reg. 298, s. 29 (3).

(4) A board that permits religious exercises or instruction under subsection (3) shall consider on an equitable basis all requests to conduct religious exercises or to provide instruction under subsection (3). R.R.O. 1990, Reg. 298, s. 29 (4)

The changes to the legislation after 1990 regarding the role of religion had an important effect to the educational and social practice of religion in public schools. However, as indicated below in Section Four, religion and controversies continue to insert themselves into public

education as people within the system and outside it engage in reshaping the space for religion and religious practice.

Section Two: Religion in Public Schools, A brief history

Quebec

For Quebec, the educational system began to change during the Quiet Revolution in the 1960s with the decline of clerical influence in association with the effects of the Vatican II changes. In 1964, Bill 60 was passed bringing education under provincial administration and marking the creation of the Ministry of Education (MEQ) (Bumstead 376). Nevertheless, school boards remained divided along linguistic and religious lines. In 1966, the Parent Commission acknowledged that religious pluralism was growing in the province and would need to be addressed (Quebec, *Laïcité* 35).

In 1985, as part of an attempt to protect the English minority living in Quebec, who were mainly Protestants, two school systems were created in Montreal, one to serve French Catholics and the other to serve English Protestants (Dufour 37). This “institutional segregation along the lines of language and faith” (Seljak 183) was common in Quebec and could equally be found in the area of health, social services and leisure. Obviously, the organization of education did not easily accommodate minorities; there was a sense that ‘Canadianization’ was in some ways synonymous with ‘Christianization’ (Seljak 181).

On July 1st 1998, the Quebec government abolished all confessional school boards and replaced them with linguistic ones (French and English). This reorganization meant that all schools would now offer the option of Moral and Religious Education (MRE) which was previously the program found in Protestant school boards, Catholic Religious Instruction (CRI), or Moral Education (ME). When this change was made the MEQ also decided to keep in place pastoral animators (Catholic school boards) or religious animators (Protestant school boards) largely due to the appreciation of their work expressed by staff and parents (Quebec, *Laïcité* 69). Both Protestant and Catholic school boards argued that this role should be kept as these animators play an important role in the development of students and help to promote dialogue on values. Under the system of linguistic school boards they became known as spiritual animators. Today, they remain an integral part of the complementary educational services program and aim to “foster the **development of an autonomous and responsible spiritual life** among students

and their contribution to the **building of a harmonious and supportive society**” (MELS, 2006 p. 13). Although linguistic school boards remain in Quebec, this three-option-system for religious education lasted for only 10 years at which time the current Ethics and Religious Culture (ERC) program was implemented.

In 1999, the Quebec *Groupe de travail sur la place de la religion à l'école* (Working Group on the Place of Religion in Schools), submitted a report entitled *Laïcité et religion* (Religion in Secular Schools) also known as the Proulx Report. The Proulx report considered Quebec society to be widely secularized and describes secularization as “a sociocultural process that parallels the emergence of the values of modernity: democracy, the separation of Church and State, independent thinking and critical assessment of traditional schemas, liberalism and technical rationality” (Quebec, *Laïcité* 48).

The ERC program, implemented in July 2008, is intended to help all groups in the province live more harmoniously through the promotion of mutual understanding and respect (Proulx, *Remarques general* 1). This is to be achieved by a focus on “familiarity with Quebec’s religious heritage, openness to religious diversity and the ability of students to position themselves, after due consideration, with respect to religions and new religious movements” (Quebec, *Consultation* 44).

Quebec’s students are also meant to explore secular worldviews. This program is meant to be understood in the context of the following five guiding elements: “(1) respect for freedom of conscience and religion; (2) the neutrality of public schools; (3) concern for the spiritual development of students; (4) the common spiritual care guidance and community involvement service; (5) a single ethics and religious culture program” (Quebec, *Secular schools* 25). Its main objectives are the recognition of others and the pursuit of the common good (Quebec *Elementary Education* 296; *Secondary Education* 462). These objectives are attained through three competencies: reflection on ethical questions, demonstrating an understanding of the phenomenon of religion, and engaging in dialogue (Quebec *Elementary Education* 296; *Secondary Education* 462).

It is interesting to note that a report made by the *Comité sur les Affaires Religieuses* (CAR) states “[a]ll indications are that we are not born human, but we become human (Quebec, *Secular Schools* 36). So then, part of the schools mandate is the development of each student’s humanity through the promotion of the recognition of each person’s dignity and value as

acknowledged in by the Charter of Rights and Freedoms, the Great Religions of the world and a variety of schools of philosophy. The ERC program is consistent with multicultural education theories but is perhaps more closely aligned with intercultural education ideals particularly due to its emphasis on the study of Quebec culture (Feinberg, 2003; Kymlicka, 1996; LeBrun, 2010; McAndrew, 2003).

Ontario

In 19th Century Ontario, religious diversity in the education system occurred along a number of axes, most obviously between Roman Catholics and Protestants but also among various Protestant groups. Religious diversity had been structured into the school systems since the 1840's in both Canada East (Quebec) and Canada West (Ontario) and these long standing agreements were formalized in Section 93 of the *Constitution Act of 1867*, providing both Roman Catholics and Protestants with government funded schools. The resulting dual school system included non-denominational Protestant “common schools” (later known as “public” schools) and “separate schools” which included schools designed to serve a number of groups, identified as Roman Catholic, Protestant and “Coloured” (Bedard and Lawton, 2000, p. 245).

Public Schools

The non-denominational Protestant common schools were designed as “inclusive”, designed to serve the educational needs of all citizens, regardless of race, language or religion and did so until the 1980's. The Christian domination of common or public schools is not surprising, given the fact that 19th Century Canadians identified Canada as Christian and saw Christianity and civilization as inextricably linked. However, a number of developments after the 1950's, including changes in Ontario's population due to immigration, urbanization, education theory, and the social role of religion challenged public schools in a variety of ways. One of the challenges came from groups who experienced the Protestant ethos of public schools not as inclusive and invitational but as exclusive and coercive. They engaged in a number of strategies of resistance, including opting out of the public system and setting up their own privately funded schools. Most, however, stayed in public schools, choosing to challenge the dominant Christian ethos as inappropriate in public schooling. In the 1980's the *Charter of Rights and Freedoms* provided them an effective legal instrument to press their claims.

In Ontario, starting in the 1960's, there was increasing re-assessment of the role of religion in education. Changes in education theory, social changes and a growing religious diversity in Ontario due to immigration created an intellectual and social environment out of which arose challenges to the dominance of Protestant Christianity in public education. By the 1980's a changing political climate and widespread acceptance of Canada as a multicultural society provided the context in which those questions could be given serious consideration. The *Charter of Rights and Freedoms*, particularly *Sections 2 and 15*, provided the legal means by which minority religious groups were able to challenge the dominant role of Protestant Christianity in Ontario public education (Khan, 1999, p. 432). Charter challenges in 1988 and 1990 resulted in court decisions agreeing that Christian school prayers and Christian religious instruction violated the *Section 2* and *Section 15* rights of students (Khan, 1999, p. 431). The courts ruled that these practices were indoctrinational, coercive and exclusionary and therefore inappropriate in public education (Khan, 1999, p. 432). "In 1990, religious instruction in Ontario public schools was held to violate the 1982 incorporation of the Charter of Rights and Freedoms into the Canadian Constitution." The rulings would thus change the way religion was taught and practiced within Ontario's public schools (Schoenfeld, 1999, p. 4). Dickinson and Van Vollenhoven, agreed, stating , "Within eight years of the arrival of the *Charter* in 1982 section 28 of Regulation 262 was challenged on two fronts by parents who argued that the right to be exempted afforded an insufficient countervail to the Christian indoctrination mandated by the regulation."(2002, p. 5).

In 1991 the Ministry of Education issued *Policy Memorandum 112* instructing public boards of education to comply with the 1990 ruling by eliminating religious instruction and religious accommodation which could be construed as coercive or indoctrinational in public schools. The intent of *Memorandum 112* was to continue Ontario's long tradition of trying to create an environment hospitable to all religions. Among the strategies was an optional World Religions course offered at the Grade 11 level but more than that, discussions of and engagement with a variety of perspectives representative of a diverse, modern society were to be encouraged. However, not all Ontario citizens agreed that this approach to religious diversity was possible or desirable.

Memorandum 112 (1991) and the government policy of funding Roman Catholic schools while excluding other faith based schools were subsequently subjected to Charter challenges by

groups who had enjoyed religious accommodation in public schools prior to 1990 and by groups advocating for funding for their own faith based schools. However, their claims were rejected by the courts in 1994 and 1996 and the judgements included a number of significant statements. First, the court ruled that the government was under no legal obligation to fund non-Catholic faith based schools and second, while the government policy did violate the *Section 15* rights of the plaintiffs, it was justified in doing so in the interests of protecting an inclusive public school system as the most effective way to achieve a diverse and tolerant society. However, the courts also stated that the government could fund non-Catholic faith based school if it chose to do so, the issue being a political and not a legal one. The action then shifted from the courts back to the political arena where three political developments after 1996 are significant in the Ontario school funding story.

In 1996 Arieh Waldman and the Canadian Jewish Congress filed a grievance with the *United Nations Human Rights Commission (UNHR)*, based on the fact that Catholic children in Ontario were entitled to attend separate schools at public expense, while children of other minority religions do not enjoy the same right. In 1999, the *UNHR*, under the terms of the *International Covenant on Civil and Political Rights* (or *CCPR*) agreed with Waldman that Ontario's funding policy was discriminatory and issued communications to both the Canadian and Ontario governments, instructing them to adopt remedial, non-discriminatory policies. (CCPR communication No 694 1996-1999). However, both levels of government have chosen not to implement the *UNHR* recommendations.

In May 2001, the Ontario Progressive Conservative government included in its budget proposal, a progressive tax credit mechanism for parents with children in privately funded schools. Adopted as *Bill 45*, the *Equity in Education Tax Credit* included regulations governing the issuing of the tax credits. Since this was tax and not an educational legislation, there was no associated scrutiny of privately funded schools for compliance with provincial education regulation (White, 2003, p. 976).

Bill 45 attracted considerable negative attention from a number of parties and Dalton McGuinty, leader of the Liberal party, made its repeal part of his 2003 election campaign. The Liberals, shortly after winning the election, made good on this promise and, in fact, clawed back the tax credits which had been issued.

The third defining political event occurred in 2007. In June 2007, Ontario Progressive Conservative Leader John Tory announced, as part of his election platform, consideration of ways to extend funding to non-funded faith based schools. While questionable as a political strategy, his proposal was not a new one, having been discussed and proposed since the 1980's and, as he pointed out, was being implemented successfully under a variety of models in other Canadian jurisdictions. The following table summarizes ways in which different provinces in Canada have funded faith based schools (Maclellan, 2012), illustrating part of Tory's reasoning.

Table Two: Faith Based Funding Across Canada

British Columbia	Partial funding of religious schools
Alberta	Full funding to faith-based and charter public school boards, and 60 per cent funding to private schools delivering provincial curriculum.
Saskatchewan	Full funding to historical high schools and school associated with school districts; partial for others.
Manitoba	Fifty per cent of the funding provided to public schools for operating costs if they comply with provincial standards.
Ontario	Only province that provides 100 per cent funding to Catholic schools but none to all other faith-based schools.
Quebec	Partial funding to established religious schools that follow Quebec curriculum.
New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland	Offer no funding to faith-based schools.

The Liberals, led by Dalton McGuinty, effectively used religion in public schools as a wedge issue and won a decisive electoral victory after a highly charged campaign. Reitz et al observed the following:

Another example concerns the question of extending public funding to all religious schools (a benefit currently enjoyed by only Catholics). In a recent Ontario provincial election campaign, a proposal for such funding was put forward by the Progressive Conservatives, but strongly rejected by voters. Opinion polls prior to the

election indicated that 71 percent of the population opposed extending funding to all religious schools (The Strategic Council 2007). Opposition to the proposal was based largely on accusations of fostering segregation as well as discomfort with the secular state encouraging religious attachment through public policy. (Reitz et al., 2009, p.700).

Since 2007, politicians have avoided the issue of funding for non-Catholic faith based schools with Ontario funding a system in which religious diversity is structured in a dual school system. As indicated below, this has not prevented on-going challenges and controversies within the public school system with a large percentage of Ontario's population choosing faith based options. The vast majority of these find that option in the publicly funded Catholic separate schools.

Catholic Schools in Ontario

Roman Catholic Separate Schools in Ontario find their roots in the 1840's and their right to exist was affirmed in *Section 93* of the *Constitution Act of 1867*. The Roman Catholic Church is the primary stakeholder in Roman Catholic Separate School system which exists as in parallel with the public school system. The Roman Catholic system is organized under twenty-nine boards with a student enrolment of about 600,000 or about 30% of the total student population in Ontario.

The court rulings (1988, 1990) limiting the role of religion in public schools do not affect separate schools since their authority to determine religious instruction has been reaffirmed in court rulings from the 19th through the 20th Centuries (Dickinson and Vollenhoven, 2002;2). Socially and politically, however, the existence of the Roman Catholic Separate School system has been contested throughout the history of Ontario education and questions about its being a fully funded denominationally based alternative continues into the 21st Century.

Non funded faith based schools have based their own claims to government funding on the full funding of Catholic schools; however, these appeals to fairness and equality have been unsuccessful. Stuart Schoenfeld observed,

The extension of full financing to Ontario Separate Schools was challenged in the Ontario courts on the grounds that giving public support to one religiously based school system discriminated against other religious groups. The court case was based on the guarantee of equal rights under the Charter of Rights and Freedoms, which was incorporated into the Canadian Constitution in 1982. The Ontario Court of Appeals held by a 3-2 decision in 1986 that Ontario's legislation was constitutional and that establishing a right of private schools to public financing would require a constitutional amendment. The Ontario court decision was appealed to the Supreme Court of Canada, which ruled by a 7-0 decision in 1987 that the full funding of Catholic schools was constitutional. The court held that the right to publicly supported Catholic schools was part of the historic compromise which led to Confederation and that the provisions of the Charter of Rights and Freedoms do not override this original constitutional arrangement. The Supreme Court, however, did not refer to funding arrangements for other religious groups, apparently leaving the issue of their rights unresolved. (1999, p. 6).

Funding for Roman Catholic schools is viewed by many as inequitable, with a sense of grievance exacerbated by the costs associated with participation in non-funded faith schools. (Lawton and Leithwood, 1991, p. 207).

Besides advocacy for equity in funding from some privately funded faith schools, further charges of unfairness come from those who claim that the elimination of separate schools and the creation of one school system would increase efficiencies, benefit professional interests and better serve the creation of civic unity. Forms of a one school movement have been a feature of Ontario's educational politics since the 19th Century but to this point, there is little appetite for the difficult constitutional, legal and political battles in dismantling separate schools. (Lawton and Leithwood, 1991, p. 207).

Section Three: Private, Independent and Home Schooling in Quebec and Ontario

Quebec

Private schools receive some funding from the Quebec government for each child registered. In Quebec, they make up about 10% of the student population at the elementary

school level and about 25% at the secondary level (LeBrun 60-61).¹ Since the implementation of linguistic school boards, the only religious schools remaining in Quebec are private schools. The MEQ has decided that the ERC program is part of mandatory curriculum produced by the ministry that must be followed by all schools. Private schools have the option of taking these programs and developing their own version, tailored to the needs of a specific population. If the MEQ accepts the alternative program as equivalent the private school may teach it instead. However, the MEQ has made it quite clear that if private schools want to include religious instruction in one particular faith; they can do so, but only in addition to, not in place of, the ERC program.

Ontario

Privately funded schools have been a feature of Ontario education from the early beginnings of the province's history. Traditionally, private schools have been associated with upper class and wealthy elites, while most non Catholic citizens including non-Christian faith communities such as Toronto's Jewish population expected that their children would be educated in public schools. (Schoenfeld, 1999; 3). Since the 1950's, a very diverse independent², privately funded school movement has gained prominence, due in large measure to an influx of immigrants for whom education was an important religious practice. Determining the numbers of independent schools and students enrolled in them is not straightforward since there are no clearly enforceable legal requirements for registering with the government. By the late 1990s it was estimated that 4.8% of Canadian students attended an independent school, most but not all of which were identified as faith based. Schoenfeld said,

In 1998, the province [Ontario] listed over 600 private schools. Over two-thirds have some kind of religious affiliation. The list also includes 78 Montessori schools, 7 Waldorf schools, 28 First Nations (native North American) schools and assorted

¹ Further statistics about the breakdown of education in Quebec can be found at <http://www.mels.gouv.qc.ca/sections/publications/index.asp?page=statistiques>

² Some privately funded schools prefer to identify themselves as "independent" both to distance themselves from the elitism associated with "private" schools and to emphasize their independence of both church and state, thereby distinguishing themselves from Roman Catholic Separate Schools which are church governed and from public schools which are state governed. These categories are important in seeing the nuanced differences among schools.

private learning centers, academies, and special population institutions which do not list a religious affiliation. The government lists 35 Jewish and 17 Islamic schools. The other hundreds of identifiable religious schools are Christian. Some of these are remaining elite private schools. Almost a hundred are identified in the list as Amish or Mennonite. A small number are identified as Seventh Day Adventist (11), Canadian Reformed (7), or Baptist (9). However, most of the identifiably Christian schools put the word "Christian" in their names. Many of these are identified with the Ontario Alliance of Christian Schools. Another group that is part of the network of Evangelical Christian schools. (1999, p. 9)

The Ontario Federation of Independent Schools website in 2012 reports a higher number than the one reported by Schoenfeld above, stating that there are 976 registered independent schools in Ontario, with a total student enrolment of 126, 000 students.

Independent faith schoolers have advocated successfully on a variety of matters, including the right to grant credits leading to the Ontario Secondary School Diploma but have been unsuccessful in their efforts to access public funding. However, the independent faith school sector continues to be a vibrant and diverse one in Ontario education, representing about 5% of the total student population.

Home Schooling in Canada

Since the 1960's there has been a growing home schooling movement which has become increasingly sophisticated in collective action and in program development and delivery. It was estimated that approximately 20,000 families in Canada are schooling at home. Religion is an important element in the home schooling movement although research on Canadian home schooling suggests differences with their American counterparts in the role played by religion in the decision to home school. Bruce Arai reports that

Many reported that public schools did not provide either enough or the right kind of religious education. Several parents stated that the liberal humanism of public schools was incompatible with their religious faith. Home schooling for these people was a way to ensure that their children were educated in a manner consistent with their belief system. (2000, p. 204)

Conclusion

While public schools have been formally identified as “secular” the role of religion continues to be divisive with religious freedom and equality being regularly contested over issues ranging from prayer space for Muslim students, the distribution of Bibles by Gideon International, the wearing of *kirpans* by Sikh students and education programs. The hope that the change in the prevailing ethos in public schools from protestant Christian to liberal and secular would create greater inclusivity is being challenged by a robust faith based education sector including publicly funded Roman Catholic Separate Schools, a privately funded faith school movement and home schoolers, serving about 35% of Ontario’s students. It is clear that religion and religious diversity in public education continues to be contested conundrum in Ontario as Section Four indicates.

Section Four: Recent Issues concerning Education and Religion in Quebec and Ontario

Ontario

Sex Education curriculum

The 2010 controversy over sex education in Ontario public schools illustrates the complexity of the intersection of religion and public education. Particularly interesting is the way in which identifying a conflict as religious may mask other important educational or social issues. In 2010, after considerable community input and consultation, revisions to the sex education curriculum were proposed and, while they initially received relatively little public attention, subsequent public reaction grew to the point where they were eventually withdrawn. The intent of the revisions was to create a safe environment in public schools for all students, including those who represented gender and sexual diversity and a climate in which issues around sexual diversity could be considered and discussed.

Material in the elementary school curriculum triggered strong reaction from a variety of groups, including Charles McVety, president of Canada Christian College and of the Canada Family Action Coalition (CFAC), when he said “It is unconscionable to teach eight year old children same-sex marriage, sexual orientation and gender identity. It is even more absurd to subject sixth graders to instruction on the pleasures of masturbation, vaginal lubrication, and 12 year olds to lessons on oral sex and anal intercourse.” Some of the resistance to the new policy also came from the South East Asian community and some Muslim groups. “Suad Aimad,

president of Somali Parents for Education, talked of a “big reaction” among Muslims, a community with very conservative views toward sexual diversity (Rayside, 2011).”

Commentary by Fr. Alphonse de Valk (Lifesitenews, June 22, 2010) included the following:

The McGuinty-Wynne sex-ed plan for elementary schools suffered from major errors:

1. False philosophy: It was based on the premise that information is knowledge and that knowledge leads to virtue. History shows that there is no truth to this.
2. False statecraft: It held that the province of Ontario could tell schools, public and Catholic, what to teach without input from parents and prior province-wide discussions.
3. False history: The province of Ontario cannot tell Catholics who have had their own school system since the British North America Act in 1867, how they should teach ethics and morals. The Canadian Constitution says so.
4. False information: Nothing is more harmful to children than providing them with knowledge of sexual perversions held by small sections of society who have replaced God’s commandments with their own.
5. False psychology: The thinking that educating children consists of pumping information into them and – voila! – out comes the ideal citizen. In reality, the education of children is a delicate thing. During the “latency” period, which normally lasts from ages 6 to 12, children should not be confronted with sexual knowledge at all, except by their parents and then only when they themselves ask questions.

While the McVety and de Valk assessments of the curriculum portray the changes in clear religious and reactionary terms, other voices were more nuanced. The reaction of parent Rehana Shaik, when she said, “I don’t want kids at a tender age to learn all that sex education. My younger son will be starting Grade 1 next year and I don’t want him to learn all that.” (CBC News, April 23 2010) raised a number of issues which might be lost in the more extreme, high profile reactions.

Within public education there are periodic and fierce exchanges over who gets to decide what is most appropriate for children. Some of these are educational, social and political issues

but foregrounding the religious voices can prevent other discussions from taking place in ways that invite collaborative engagement which crosses religious identities. For example, while there was some protest against the curriculum proposal from the Roman Catholic community, it was not unified and, in fact, the Ontario English Catholic Teachers Association issued official statements of support for the proposal (Rayside, 2011). Educational issues of what is and what is not age appropriate and the related political questions of who gets to decide what is best for the child at the centre of the educational enterprise link the controversy over sex education to the longer history of education in Ontario.

Further information can be found in Heather Shipley's forthcoming chapter on this very debate.³

Bill 13: The Accepting Schools Act

Bill 13, introduced in Ontario under the title "Accepting Schools Act" or, more popularly, the "Anti-bullying legislation", has, like the sex education curriculum, triggered a number of reactions. No one, of course, is in favour of bullying and everyone agrees that bullying should be managed or eliminated in Ontario schools. However, the inclusion of sexual orientation and specific references to LGBTTIQ students has attracted the attention of a variety of leaders and groups who object, on religious grounds, to formal recognition and legitimizing of gender diversity. Charles McVety, for example, said this, "We are here to protect our children. We don't want homosexual clubs led by homosexuals against the will of the parents. This is offensive material and that is why we are standing up." (Toronto Sun, May 15, 2012). Roman Catholic bishops also issued a statement prohibiting Gay Straight Alliances and other gay clubs at Catholic schools in the province while the Institute of Marriage and Family Canada expressed concern about the government imposed single strategy to enforce "acceptance and respect". (Canadian Catholic News, February 15, 2012). All groups proclaim themselves against bullying but some, for a variety of reasons, resist the identification of students by gender orientation to the exclusion of other identities. In a letter addressed to Premier McGuinty, dated April 2, 2012, Don Hutchinson. General Legal Counsel for the Evangelical Fellowship of Canada said, "We believe that every child is made in God's image and of inestimable worth, deserving of dignity

³ Heather Shipley. *Connected Identities: Challenging Narrative Scripts about Identity Construction* forthcoming in *Sexual Diversity and Religious Diversity*, edited by Pamela Dickey Young, Heather Shipley and Tracy Trothen, Vancouver: UBC Press, under review.

and respect. We believe that no child should be bullied, marginalized or suffer discrimination for any reason”.

The Roman Catholic bishops and the Evangelical Fellowship of Canada emphasized their support of action protecting students but they objected to the legislation foregrounding particular student identities while backgrounding others. Their concern about the highly centralized approach to identity and behaviour management echoes the long standing concerns of groups in Ontario going back to the common school movement in the 19th Century. The Roman Catholic reaction reflects broader fears about the political agenda driving Bill 13. Cecil Chabot, writing in the Toronto Star (June 3, 2012) said this,

Instead of protecting students from prejudice, Bill 13 risks giving implicit legislative support for prejudice against minority, religious and cultural groups. Instead of fostering respect for a plurality of understandings and school choices, it risks promoting a uniformity of understanding and making Ontarians’ school choices meaningless. In forcing the acceptance of one anti-bullying approach on all schools, it risks ostracizing many who are equally committed to the cause.

Both the sex education curriculum and *Bill 13* attempted to address important educational issues made more complex by a number of factors, one of which was the role of religious voices which contributed to a highly charged debate.

Gideon Bible distribution

The distribution of Bibles to Grade Five students in Ontario public schools by Gideon International has become a flashpoint in public school boards across the province, triggering intense debates over the role of religion in Ontario public schools and, more broadly, in Ontario society.⁴

The heated exchanges over the distribution of Gideon Bibles, like the debates over sex education curriculum and anti-bullying legislation, take on more depth when subjected to more nuanced analysis. In 2012 the Bluewater District Public School Board decided to ban the practice in response to a complaint by a parent. The reaction from Christian groups included threats of violence and questioning the Canadian identity and Christian values of trustees for

⁴ Gideon Bibles have been distributed in Canadian public schools since 1936. Complaints by parents who objected to the distribution has led to a cessation of the practice in a number of boards. Gideon International has a policy of not contesting the bans but public reaction in some boards has been quite intense.

whom Gideon Bible distribution was a symbol of Canada's Christian heritage and an important instrument in grounding students' identity in religious principles. For these parents, the ban represented a shift away from a long standing tradition and a dangerous trend for students. Dorothy Adams, a participant in one of the demonstrations, is quoted as follows, "It's an atheist thing and they are doing harm to the children. We believe in the children and bringing up children to have a happy life. If they had the Lord in their life, they wouldn't be tempted by a lot of things that are out there." (CTV News, March 21, 2012). While resolution of this and other issues is always complex, one fear expressed by religious citizens and communities is that their religion is being marginalized as irrelevant to public spaces in modern society.

The Kirpan Debate

The "Kirpan debate" has been the subject of considerable academic examination and popular debate (Judge, 2003, p. 1725). Our reflections focus on the freedom of religion in the education systems of Ontario and more recently in Quebec.

The wearing of the *kirpan* in Ontario public schools was debated largely as a religious freedom issue (Martin, 2011) and has been covered elsewhere by many scholars (Judge, 2003). In summary, the *kirpan* debate was triggered by the suspension in 1988 of a Sikh student in the Peel Board of Education which argued its case by identifying the *kirpan* as a weapon in violation of its safe school policies (Wayland, 1997, p. 546). The dispute went before an Ontario Human Rights Commission tribunal where it was ruled that the *kirpan* was a religious symbol and could be worn to school subject to restrictions which would satisfy security and safety concerns (Martin, 2011).

The *kirpan* debate demonstrates the complexities of religious diversity in public schools where the issues of religious freedom, equality, school security, community sensitivities and the needs of the learning environment intersect. A further layer of complexity emerges in the differences over definitions and categories associated with religion. The Sikhs at the centre of the debate identified the *kirpan* as a religious item essential to their religious practice and identity. Other Sikhs disagreed, seeing the *kirpan* as a social anachronism which should be discarded in a modern, multicultural environment, demonstrating that religious communities are by no means homogeneous and static entities. In the meantime, the Peel Board identified the *kirpan*, not as a religious symbol but as a weapon in violation of school safety standards.

The *kirpan* debate is only one of many within public education over religion and the space for religious practice. Bible distribution, prayer space, sex education, anti-bullying legislation, and the teaching of evolution are other issues which have been contested between religious communities and school boards but equally among religious communities within public education as they compete for space. Generally speaking, issues are resolved on a case by case basis and most of them do not attract a great deal of attention. However, periodically there are dramatic public confrontations which demonstrate that navigation of religion in Ontario public education continues to be a challenge.

Controversies in Quebec

In Quebec, *Multani vs. Commission scolaire Marguerite-Bourgeoys* was a case involving the right of a Sikh student to wear his *kirpan* to school. Although the school board in question framed this case in terms of student safety and administrative law, the case was ultimately brought to our highest court as one concerning religious freedom. In 2006 the Supreme Court in Canada ruled in favour of Multani, allowing him to wear his *kirpan* to school provided that certain conditions be met. (Canada Supreme Court, *Multani*). The issue of the *kirpan* has resurfaced as recently as last year (2011) when Sikhs carrying the ceremonial dagger were refused entrance to the Quebec legislature (Sikhs, *CBC news*).

In Quebec, a large number of daycares are funded by the government. Parents pay \$7 a day to send their children to these institutions while the Quebec government covers the rest of the cost, about \$40 per day (Peritz, *The Globe and Mail*). Starting in June 2011, daycares that teach a particular faith to students risk losing their government funding (Peritz, *The Globe and Mail*). The Parti-Québécois which forms the official opposition is demanding that the government declare all day cares secular (Religion, *CBC news*). A group of parents have launched a legal challenge of this new directive (Chung, *The Star*).

On February 4th 2009, a group of Catholic families in Drummondville took the Des Chênes School Board to court, seeking an exemption from the ERC course for their children on the grounds that it violated their right to freedom of conscience and religion as protected under article 3 of the Quebec Charter of Human Rights and Freedoms, and article 2 of the Canadian Charter of Rights and Freedoms (Quebec Cour Supérieur, *Commission Scolaire des Chênes*).

On August 31st 2009, the Hon. Jean-Guy Dubois found that their religious rights were not being violated and therefore their request for exemption was denied by the Quebec Superior Court.

Loyal High school, a private Catholic boys school, has voiced objections to the ERC program on the grounds that it conflicts with the school's Catholic character and also presents a relativistic view of religion (Quebe Cour Supérieur, *Loyola*). The MEQ denied their request to teach the material of the ERC program from a confessional perspective. This led them to take their case before Quebec Superior Court. On June 18th 2010 the Hon. Gérard Dubgré finds that the MEQ is infringing on Loyola's freedom of religion in a way that is totalitarian in character and is essentially equivalent to the Inquisition demanding Galileo deny the Copernican universe (Quebec Cour Supérieur, *Loyola*). The Quebec government has decided to appeal this decision.

The current appeal of the decision by Hon. Gérard Dubgré in the case of Loyola high school has put into question the future of the ERC program. Many believe that if Loyola is allowed to teach a confessional program instead of the ERC other confessional private schools will follow suit. In addition, depending on the reasoning used for this decision such a ruling might create a legal precedent on which parents in the public system can argue for exemptions from this program.

Universities and Religion in Quebec and Ontario

While many of the older universities in Ontario and Quebec were established by religious groups, this part of their history is increasingly part of their background information considered less important to current operations and identity. Visiting several university websites we found very few references to religious affiliations. The theology or religious studies department website will often make reference to their historical development out of a particular Christian denomination but rarely makes explicit if any links remain or what the parameters of these might be. It is apparent that many of the universities used to have religious links but these links have shifted far into the background. For follow-up, we asked Pamela Dickey Young about the religious funding of universities in Ontario. Her response is included below:

“The short answer, I think, at least in Ontario is that it is variable and will probably have to be canvassed university by university. I don't know about Quebec but suspect

there that at a certain point all universities lost their governance connections with churches in order to get gov't funding.

In the early 20th c. (around 1910-1912) the government of Ontario decided not to fund religiously-based post-secondary institutions, so universities had to "secularize" to get funds. But sometimes they maintained their historic connections with churches. Sometimes those connections were maintained through colleges (like at U of T, Waterloo and Western). Those colleges (as far as I'm aware) often became largely residential spaces and offered only limited programming through the colleges (theology or religion, for example, as opposed to through the universities). Often their Boards were still made up of church-related people.

Then in the 70s such funding restrictions loosened up and government funding was given for programs such as theology. This has meant subsequently that some church-related colleges that were private colleges have become universities (e.g., Redeemer University College). I don't know what level of public funding they receive but they do have some of their programs accredited. Again, sorry to say, you'd have to check each one."⁵

Further research indicates that some privately funded post-secondary institutions in Ontario have, through an act of the provincial legislature, gained a publicly recognized status which allows them to grant provincially recognized liberal arts degrees. Two examples are Redeemer University College in Ancaster and Tyndale College in Toronto while most religiously based colleges grant 2 – 3 year degrees recognized by their clientele and within the Christian college world. The Campus Starter website indicates that, across Canada there are over 40 Christian colleges and universities with a variety of degree granting options serving over 17000 students.

Professor Dickey Young suggests that a study of each university would be necessary to find out further information about current and historical relationships between the Churches and Universities. This research is outside of the scope of our project and I have put this information into suggestions for future research.

⁵ Pamela Dickey Young in a private email to William Hoverd.

Conclusion

The designation of Quebec and Ontario public schools as “secular” spaces was an attempt to create an inclusive school system designed to serve all citizens regardless of their religious beliefs. However, as this report demonstrates, this is a relatively recent development and continues to be contested on a number of levels. Secularization is a broad and malleable term in public education with widely varying and contested interpretations and applications. While the secularization of public schooling has successfully addressed some concerns relating to the treatment of religious minorities in public education, those changes have themselves generated challenges from other religious minorities. The report includes reflections on a number of those current issues in light of the complex and contested history of religion in public education, concluding with a number of recommendations for further research.

Recommendations for Future Research

1. While many universities originate out of religious organizations, there is little current research on the current relationship between religious institutions and universities in Quebec and Ontario.
2. Lived religion on university and college campuses. How and where is religion practiced on high school, college and university campuses. What is the role of chaplaincy services?
3. What are the boundaries around religion on high schools, university and college campuses? How is religion regulated, both formally and informally? While there are anecdotes among religious groups that some religions get preferential treatment or that religious clubs are subject to more restrictions than non-religious clubs, is there any evidence that this is the case?
4. While protection of religious diversity is a high priority in public schools, there is little research about religious diversity in funded and non-funded faith based schools. How do faith based schools address religious diversity in their school cultures, academic programs, administrative procedures and admissions policies?
5. How do teachers and parents navigate the religious environment in which they find themselves? There are Muslim and Protestant Christian students enrolled in Roman Catholic Separate Schools and in public schools, just as there are a students of a variety

of faiths in privately funded faith based schools. There are teachers of a variety of faiths working in public schools or in faith based schools which have a religious orientation different from theirs. How do they navigate the program and social expectations in their schools?

6. Impact of schooling in Ontario on the religious identities of its graduates. Schooling is, by its very nature, a catalyst for change. What is the impact of public, Roman Catholic Separate, privately funded faith schooling and home schooling on the religious identity and religious practice of its students in relationship to the stated goals of the schools?⁶
7. Controversies over religion and education. Based on anecdotal evidence, our observation is that most conflicts are resolved quietly on a local level with little disruption to community or school operations. However, periodically there are high profile conflicts which attract a great deal of media attention. Why do some issues attract a great deal of attention while others are resolved quietly? What are the factors involved in effective, quiet low conflict resolution and, in contrast, what are the factors in generating high profile, high conflict cases?

⁶ Cardus, a Canadian Christian research organization, conducted a research project titled “Cardus Education Survey” available on their website www.carduseducationsurvey.com. Their research was on the impact of schools on the religious identity and practice of schools on their graduates. Our recommendation is that further studies be done to investigate other aspects of the same question.

Quebec Bibliography

Bouchard, Gérard and Charles Taylor. *Building the Future. A Time for Reconciliation*. Commission de consultation sur les pratiques d'accommodement reliées aux différences culturelles. 2008. Web. 25 October 2009.

Boudreau, Spencer, *et al.* "Losing Faith in Education." *Montreal Gazette*, 20 November 2005. *ProQuest Web*. 23 July 2010.

Bumstead, J.M. *The Peoples of Canada: A Post-Confederation History*. Don Mills: Oxford University Press, 2004. Print.

Canada. *Canadian Charter of Rights and Freedoms*. Ottawa: 1982. Web. 10 June 2010.

---. *The Constitution Act, 1867*. Web. 23 July 2010.

Canada Supreme Court. "Multani v. Commission scolaire Marguerite-Bourgeoys." *Judgements of the Supreme Court of Canada*. 2 March 2006. Web. 27 January 2012.

Chung, Andrew. "Quebec's march to secularism hits daycare." *The Star*, 3 June 2011. Web. 11 January 2012.

Dickenson John and Brian Young. *A Short History of Quebec*. Montreal: McGill-Queen's University Press, 2003. Print.

Dufour, Andrée. *Histoire de l'éducation au Québec*. Quebec: Boreal, 1997. Print.

Farrow, Douglas. *Report from Douglas Farrow respecting Loyola High School's and John Zucci's demand for exemption from the requirements of the ERC curriculum*. Montreal: 2008. Personal Communication.

Feinberg, Walter. "Religious Education in Liberal Democratic Societies: The Question of Accountability and Autonomy." *Citizenship and Education in Liberal-Democratic Societies*. Eds. Walter Feinberg and Kevin McDonough. New York: Oxford University Press, 2003. 385-413. Print.

Kymlicka, Will. *Multicultural Citizenship: A Liberal Theory of Minority Rights*. New York: Oxford University Press, 1996. Print.

---. *Politics in the vernacular: nationalism, multiculturalism, and citizenship*. New York : Oxford University Press, 2001. Print.

LeBrun, Erin. *Taking Account of Religious Diversity: A Case Study of Quebec's Ethics and Religious Culture Program*. MA Essay. Queen's University, 2010. Web. Retrieved from QSpace: <http://hdl.handle.net/1974/5990>

McAndrew, Marie. *Immigration et diversité l'école : le débat québécois dans une perspective comparative*. Montréal : Presses de l'Université de Montréal, 2001. Print.

McDonough, Kevin. "Multinational Civic Education." *Citizenship and Education in Liberal-Democratic Societies*. Eds. Walter Feinberg and Kevin McDonough. New York: Oxford University Press, 2003. 351-384. Print.

Ministère de l'Éducation, du Loisir et du Sport. *Developing the Inner Life and Changing the World: The spiritual care and Guidance and Community Involvement Service A Complementary Educational Service*. Ministerial framework. 2006. Retrieved from <http://www.mels.gouv.qc.ca/DGFJ/csc/asec/pdf/26-0001-A.pdf>

Montgomery, Sue. "Ethics class ruling might affect other schools." *The Gazette*, 20 June 2010: A4. Print.

Pratte, Sonia. *La place de la religion dans les écoles publiques des provinces anglo-canadiennes*. Quebec: 1999. Web. 19 October 2009.

Peritz, Ingrid. "Quebec bans religious teaching in publicly subsidized daycares." *The Globe and Mail*, 21 December 2011. Web. 11 January 2012.

Proulx, Jean-Pierre. "Democratie scolaire et participation parentale." *Pluralisme, citoyenneté & éducation*. Eds. France Gagnon, Marie McAndrew and Michel Pagé. Montréal : Harmattan, 1996. 255-286. Print.

Proulx, Jean-Pierre. *Remarques générales sur le projet de loi 95 et l'énoncé de politique ministérielle sur la mise en place d'un nouveau programme d'éthique et de culture religieuse*. Quebec: 2005. Web. 19 October 2009.

Quebec. *Charter of Human Rights and Freedoms*. Quebec: 1975. Web. 14 July 2010.

---. Comité sur les Affaires Religieuses. *Consultation on the Draft Ethics and Religious Culture Program*. Quebec: 2007. Web. 19 October 2009.

---. "Personal Development." *Quebec Education Program: Elementary Education*. Quebec: 2008. 267-269 and 287-380. Web. 14 April 2010.

---. Groupe de travail sur la place de la religion à l'école. *Laïcité et Religion*. Quebec : 1999. Web. 15 February 2010.

---. "Mandats et Membres." mels.gouv.qc.ca/affairesreligieuses. Comité sur les Affaires Religieuses, n.d. Web. 15 April 2010.

---. "Personal Development" *Quebec Education Program: Secondary Education*. Quebec: 2008. 423-427 and 455-540. Web. 14 April 2010.

---. Comité sur les Affaires Religieuses. *Secular Schools in Quebec: A Necessary Change in Institutional Culture*. Quebec: 2006. Web. 22 October 2009.

---. Comité Protestant. *Un seul programme non confessionnel, des choix éducatifs pour chaque école*. Quebec: 1999. Web. 19 October 2009.

Québec Cour Supérieure. “Décision: D.L. c. Commission scolaire des Chênes.” *Société québécoise d’information juridique*. 31 August 2009. Web. 18 April 2010.

---. “Décision: Loyola High School et John Zucchi c. Michelle Courchesne, en sa qualité de ministre de l’éducation, du loisir et du sport.” *Société québécoise d’information juridique*. 18 June 2010. Web. 25 June 2010.

“Religion ban in Quebec’s public daycares welcomed.” *CBC news*, 10 March 2010. Web. 11 January 2012.

Seljak, David. “Education, Multiculturalism, and Religion.” *Religion and Ethnicity in Canada*. Eds. Paul Bramadat and David Seljak. Toronto: Pearson Longman, 2005. Print.

“Sikhs with kirpan not allowed in Que. legislature.” *CBC news*, 18 January 2011. Web. 27 January 2012.

Ontario Bibliography

Arai, B. (2000). Reasons for home schooling in Canada. *Canadian Journal of Education*, 25(3), 204-217.

Asad, T., Brown, W., Butler, J., & Mahmood, S. (2009). *Is critique secular? Blasphemy, injury and free speech*. Berkeley: University of California Press.

Axelrod, P. (1997). *The promise of schooling: Education in Canada, 1800 – 1994*. Toronto: University of Toronto Press.

Bader, V. (2007). *Secularism or democracy? Associational governance of religious diversity*. Amsterdam: Amsterdam University Press.

Bayefsky, A. F. and A. Waldman (2007). *State support of religious education: Canada versus the United Nations*. Leiden: Martinus Nijhoff Publishers.

Beaman, L. G. (Ed). (2006). *Religion and Canadian society: Traditions, transitions and Innovations*. Toronto: Scholar's Press.

Bedard, G. & Lawton, S. (2000). The struggle for power: Shifting policy making models and the Harris agenda for education in Ontario. *Canadian Public Administration / Administration Publique Du Canada*, 43 (3), 241-269.

Catholic School Chaplains of Ontario. (2012, January). <http://www.cSCO.ca/> .

Collet. B.A. (2007). Islam, national identity and public secondary education: perspectives from the Somali diaspora in Toronto, Canada, *Race, Ethnicity and Education*, 10(2), 131-153.

Dickinson G. & Van Vollenhoven, W. (2002). Religion in public schools: Comparative images of Canada and South Africa *Perspectives in Education*, 20(3), 1-20.

Edlin, R.J. (1994). *The cause of Christian education*. Northport, AL: Vision Press.

Guldmond, A. (1990). *Progress in the courts: Religion in public schools in Ontario*. Ancaster, ON: Guardian Press.

Hall, E.M. & Dennis, L.A. (1968). *Living and learning: The report of the Provincial Committee on Aims and Objectives of Education in the Schools of Ontario*. (1968). Toronto: Ontario Department of Education.

Hiemstra, J.L. (2005). Calvinist pluriformity challenges liberal assimilation: A novel case for publicly funding Alberta's private schools, 1953-1967, *Journal of Canadian Studies*, 39(3), 146-173.

Hope, J.A. et al. (1950). *Report of the Royal Commission on Education in Ontario*. Toronto: Baptist Johnson, “Printer to the King’s Most Excellent Majesty”.

Howlett, K. (2007, August 23). Religious-schools to be a ‘defining issue.’ *The Globe and Mail*.

Judge, P. S. (2003). Social construction of identity in a multicultural state: Sikhs in Canada. *Economic and Political Weekly*, 38 (17), 1725-1731.

Khan, A. (1999). Religious Education in Canadian Public Schools. *Journal of Law & Education*, 28, 431 -442.

Lawton, S. B & Leithwood, K.L., (1991). Language, religion, and educational rights in Ontario, 1980-1990. *Journal of Education Policy*, 6(2), 201-213.

Levin B. & Riffel, J.A. (1994). Dealing with diversity: Some propositions from Canadian education. *Education Policy Analysis Archive*, 2(2), 1-13.

MacKay, J.K. et al. (1969). *Religious information and moral development: The report of the Committee on religious education in the public schools of the province of Ontario*. Toronto. Ontario Department of Education.

MacLellan, D. (2008, June 6). *Revisiting the “new” old school question: Faith-based funding and the 2007 Ontario provincial election campaign*, Paper presented to the Annual Meeting of the Canadian Political Science Association, University of British Columbia, Vancouver, British Columbia.

Martin, M.S. (2011). *The 1990 Kirpan case: Cultural conflict and the development of equity policy in the Peel District School Board*. Doctor of Education, 2011. Graduate Department of Theory and Policy Studies, Ontario Institute of Studies in Education, University of Toronto.

McGuire, M. (2008). *Lived religion: Faith and practice in everyday life*. Oxford: Oxford University Press.

Moon, R. (Ed). 2008. *Law and religious pluralism in Canada*. Vancouver: University of British Columbia Press.

Mooney, M. (2009). *Faith makes us live: Surviving and thriving in the Haitian diaspora*. Berkeley: University of California Press.

Rayside, D. (2010, May). Sex ed in Ontario: Religious mobilization and socio-cultural anxiety. Paper presented at the Annual Meeting of the Canadian Political Science Association, Concordia University, Montreal.

Reitz, J., Banerjee, R., Phan, M. & Thompson, J. (2009). Race, religion and the social integration of new immigrant minorities in Canada. *International Migration Review*, 43(4), 695-726.

Sable, M. (1998, January). George Drew and the rabbis: Religious education in Ontario's public schools. *Canadian Jewish Studies*, 26-54.

Schoenfeld, Stuart. (1999). Transnational religion, Religious schools, and the dilemma of public funding for Jewish education: The Case of Ontario, *Jewish Political Studies Review*, 11, 1-21.

Shiple, Heather (forthcoming). Connected identities: Challenging narrative scripts about identity construction. In P. Young, H. Shipley & T. Trothen (Eds.), *Sexual Diversity and Religious Diversity*. Vancouver: UBC Press, under review.

Stephenson, C.A. (1991). Religious exercises and instruction in Ontario public schools. *Toronto Faculty Law Review*, 49(1), 82-105.

Sullivan, W. (2005). *The impossibility of religious freedom*. Princeton: Princeton University Press.

------. (2009). *Prison religion: Faith-based reform and the constitution*. Princeton: Princeton University Press.

Van Pelt, D., Allison, P.A. and Allison, D.J. (2007). Ontario's private schools : Who chooses them and why? A Fraser Institute Occasional Paper.

Vriend, J. (2006). Public education and religion: A historical review. [Class handout]. Department of Education, Redeemer University College, Canada.

Wayland Sarah V. (1997). Religious expression in public schools: *Kirpans* in Canada, *hijab* in France. *Ethnic and Racial Studies*, 20(3), 545-561.

White, Linda. (2003). Liberalism, group rights and the boundaries of toleration: The case of minority religious schools in Ontario. *Canadian Journal of Political Science / Revue canadienne de science politique*, 36(5), 975-1003.

Zine, J. (2007). Safe havens or religious 'ghettos'? Narratives of Islamic schooling in Canada. *Race, Ethnicity and Education*, 10(1), p 71-92.

------. (2008). *Canadian Islamic schools: Unravelling the politics of faith, gender, knowledge and identity*. Toronto: University of Toronto Press.

Ministry of Education

Ontario Ministry of Education. (1990). Policy memorandum 112: Education about religion in the public elementary and secondary schools of Ontario. Toronto: Ontario Ministry of Education.

Ontario Ministry of Education. (1994). Education about religion in Ontario public elementary schools. Toronto: Ontario Ministry of Education.

Case Law

Zylberberg v. Sudbury Board of Education (1988). 65 O.R. (2d) 641 (Ont. C.A.). C. M. File No. 567/86..Retrieved from CanLII 189 (ON.C.A)

Canadian Civil Liberties Association v. Ontario (Minister of Education) (1990) 71 O.R. (2nd) 341, 46 C.R.R. 316 (C.A). Retrieved from Bayefsky, A.F. and Waldman, A. (2007).

Bal v. Attorney General of Ontario. (1994). 21 O.R. (3d) 681 [1994] O.J. No. 2814 Action No. RE 722/92. Retrieved from Ontario Court (General Division)

Adler v. Ontario. (1996) 3 S.C.R. 609. Case # 24347. Retrieved from Supreme Court of Canada.