



Ontario Catholic School  
Trustees' Association

**Significant Events in the  
History of Catholic Education  
&  
the Ontario Catholic School  
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# Significant Events in the History of Catholic Education & the Ontario Catholic School Trustees' Association

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## 1841 First School Act for the Province of Upper Canada

- There was a need to obtain some financial support from the Crown to pay teachers' salaries
- Government responds – permitting the establishment of denominational schools and more permanent funding growth

## Taché Act

- Extends right of Upper Canada's Catholic minority to create and manage their own schools

## 1863 Scott Act

- Sectarian bitterness was very strong and threatened minority rights in Upper Canada
- Archbishop Charbonel provides leadership
- Government responds
- Gave Catholic trustees all the rights and powers of their public school counterparts; Catholic schools were also allowed a share of **Common School Fund** by Canadian government

## 1867 British North America Act

- Need to constitutionally secure minority rights of Catholics re: education
- Government responds by including Section 93 and the educational rights of the Catholic minority were secured **constitutionally**

## 1925 Tiny Township Case

- Need for financial support for high schools
- Lay Catholic leadership emerges
- Government responds – Catholics have just claim to funds for Grades 9 and 10 – no constitutional rights beyond that **but** opens the door by stating that the provincial government **could** grant funds beyond grade 10

- 1930**      **Ontario Separate School Trustees' Association is Founded**
- 1930's**      **Catholic Taxpayers' Association**
- Efforts made to secure equitable distribution of corporate and business tax to Catholic boards
- 1950/60**      **Hope Commission**
- Recommends that elementary level be cut back to K-6
- 1961**      **OSSTA Publishes First *Catholic Trustee Magazine***
- Publication continues until 1997 with revised format introduced in 1986
  - Replaced by *Catholic Trustee Newsnotes* in 1997
- 1963**      **Ontario Foundation Tax Plan**
- Many Catholic school boards benefit
- 1969**      ***Equal Opportunity for Continuous Education in Separate Schools of Ontario – Brief to Premier and Minister of Education***
- This was a major step towards obtaining full funding for Catholic schools. The Brief enjoyed the support of all Catholic partners including the Bishops
  - One of the highlights of the Extension campaign was the Student Rally at Maple Leaf Gardens organized by the Ontario Catholic Students' Federation
  - In 1971, the Brief was rejected by the then Prime Minister, William Davis
- 1969**      **County and District School Boards Created (known as Larger Units of Administration)**

- 1969**      ***OECTA/OSSTA Religious Education Courses Launched***
- Courses in the teaching of catechetics offered in winter and summer
  - Certificates issued by joint associations to teachers who successfully complete the course
  - Courses would eventually expand to Course 1, 2 & 3 and be recognized by the Ministry for qualification purposes
- 1972**      ***Focus on Faith for the Future Program Established by OSSTA***
- Major thrust of the program was to develop a total Catholic school community which would embrace all its component parts – trustees, teachers, administrators, priests and parents
- 1976**      ***Blair Commission Tours Province to Assess Reaction to Taxing Catholic High School Property***
- Through the combined efforts of clergy, trustees, teachers, parents and students the Tax Plan was scrapped
- 1978**      ***Government Approves Religious Education Credits for Grades 9 & 10***
- 1980**      ***Bill 82 Grants Catholic Schools the Right to Provide “Special Education”***
- 1984**      ***Grade 9 & 10 Students in Catholic Schools are Recognized as “Secondary” School Students***
- 1984**      ***Premier Bill Davis Announces Intention to Extend Funding to Grades 11, 12 & 13 (OAC) in Catholic Schools***

- 1985**      **Passage of Bill 30 (including s. 136 1.a.) – Extends Full Funding to Grades 11, 12 & 13 (OAC) in Catholic Schools**
- Would be challenged in the Court of Appeal of Ontario and in the Supreme Court of Canada
  - Section 136 1.a., a clause which restricted to a ten year period, the rights of Catholic school boards to prefer to hire Catholic teachers was inserted. It would later be challenged in court
- 1985**      **Completion Office of the Separate Schools Founded**
- Provides a forum for Catholic partners, including OSSTA, to address political issues arising from “extension” – *Bill 30*
- 1986**      **Bill 30 Declared Constitutional by the Ontario Court of Appeal**
- 1987**      **Bill 30 Declared Constitutional by the Supreme Court of Canada**
- 1991**      **ICE Publishes “*Blishen Report*”**
- Provides a vision of the goals for Catholic students as they were articulated by parents, clergy, teachers and trustees
- 1992**      **Ontario Fair Tax Commission**
- OSSTA participates in Work of Property Tax Working Group including presentation of Minority Report
- 1993**      **Royal Commission on Learning Appointed**
- OSSTA attends hearings and presents submission, *The Hope That Lives Within Us*
- 1995**      **Royal Commission on Learning Issues Report: *For the Love of Learning***
- OSSTA responds

- 1995**      **School Councils Established**
- Purpose is to bring parents and teachers together for the local management of their schools
  - OSSTA published two major documents, *Evolution of Catholic School Councils* and *Involving Other Parents*
- 1995/96**      **Senate Committee on Legal and Constitutional Affairs re: Amendment to Term 17 of the Terms of Union Between Canada and Newfoundland**
- OSSTA supports Newfoundland Catholics in their fight to protect Catholic education in their province
- 1997**      **Justice Sharpe Rules that Section 136 of the Education Act is Unconstitutional and of No Force or Effect**
- This ruling would be appealed in the Appeal Court of Ontario
  - The Appeal Court supports Justice Sharpe's ruling
  - Application to appeal the Appeal Court's decision is dismissed
  - Section 136 was struck out by the Court as it was unconstitutional. Catholic boards have the constitutional authority to take matters of faith into account in hiring, advancing, promoting and dismissing employees. Employees are entitled to challenge such preferential practices, however, where the qualification is not reasonable and bona fide
- 1997**      **OSSTA Adopts New Name – Ontario Catholic School Trustees' Association**
- This name more accurately reflects our mission as the provincial representative of English Catholic school trustees
- 1997**      **Bill 104 – Fewer School Boards Act (1997)**
- Roman Catholic Separate School Boards reduced from 53 to 29 *Catholic District School Boards* and 6 *School Authorities*. Catholic trustees reduced from 710 to 250

**1997**      ***Education Improvement Commission***

- Commission mandated to oversee and direct the amalgamation and operation of schools and to oversee the transition of the new system of education governance in Ontario

**1997**      ***Bill 160 – Education Quality Improvement Act, 1997***

- Introduces a fair and equitable funding formula for public and Catholic schools
- OCSTA supports direction taken by the government in the area of curriculum standards, accountability, reporting and funding
- OCSTA expresses reservation about some of the initiatives in the area of governance, in the matter of labour relations and negotiations and about the pace of the comprehensive educational reforms in certain areas

**1997**      ***Ontario Regulation 461/97 Establishes Policy Guidelines for Representation of the Interests of Pupils on School Boards***

- OCSTA publishes *Embracing the Future Catholic Pupil Representatives on Catholic School Boards* to help school boards develop local policies
- OCSTA launches website for student representatives
- OCSTA assists in coordinating in-service opportunities for student representatives

**1997**      ***Religious Education as Teaching Subject Introduced in Faculties of Education***

**1998**      ***Bill 160 – Constitutional Challenges***

- Justice Peter Cumming (General Division Court of Ontario) finds that it is unconstitutional for the provincial government through Bill 160 to suspend the right of Catholic school boards to set a local mill rate
- All other aspects of the challenge are unsuccessful
- OCSTA reaffirms that it is unlikely that Catholic boards would see any benefit in exercising their right to tax, as raising money beyond equitable levels would be inconsistent with our long-standing goal of fair funding for all students

- The government appeals the lower court's decision re: taxation and OPSBA, OECTA, other teacher unions and individuals appeal other parts of the lower court's decision. OCSTA is an intervenor
- A panel of five Ontario Court of Appeal judges hear the appeals and eventually reverses the ruling of the lower court. OCSTA is an intervenor
- The decision of the Court of Appeal would be challenged in the Supreme Court of Canada

**1998      Government Financial Support for Creation of Catholic Curriculum for Catholic Schools**

- Coordinated through the Institute for Catholic Education

**1999      OCSTA Adopts New Logo**

- Considerations which guided the design included the need to symbolize in a contemporary style the traditional goals and mission of the Association

**2000      OCSTA Launches Province-Wide Discussion on *Our Catholic Schools***

- Approximately 3000 participants engaged in conversation across the province
- Report on discussion issued November 2000

**2000      Charter of Education Rights and Responsibilities**

- Heralds an era of accountability
- OCSTA publishes document *Visioning the Future: A Reflection on the Charter of Rights and Responsibilities from the Perspective of Catholic Schools*

**2000      Bill 74 – *Education Accountability Act, 2000***

**2001      Bill 160 Declared Constitutional by the Supreme Court of Canada**

**2001      Bill 80 – *Stability & Excellence in Education Act***



**2001**      ***Task Force on Effective Schools Established***

- OCSTA responds with document entitled, *A Catholic Response to the Task Force on Effective Schools*

**2003**      ***Report of the Education Equality Task Force is Released***

- Final recommendations reflect funding principles advocated by OCSTA boards

**2004**      ***Report of the Provincial Legislative Review Committee***

- After considerable analysis, the Legislative Review Committee concluded that the legislation and regulations governing education funding appear to operate in a fair and non-discriminatory manner. OCSTA was part of the committee and generally concurred with the conclusion but reserved judgement on some special purpose grants

**2004**      ***OCSTA Publishes *Catholic Trustees: Advocates, Guardians and Stewards of Catholic Education****

- This Association publication articulates the distinctive role of the Catholic trustee in Ontario's education system

## Appendix 2

### Statement by Premier William G. Davis Regarding Roman Catholic Secondary Schools, June 12, 1984

**Honourable Mr. Davis:** Mr. Speaker, I wish to inform members of the Legislature that the government has undertaken a careful and fresh review of the outstanding issues surrounding public support for the Roman Catholic school system, and this afternoon I wish to outline a new course we have decided to pursue.

As colleagues on both sides of the Legislature will appreciate, this has been a subject of long and heartfelt controversy in the development of our province, ever since we assumed the burdens and choices that go with responsible government in 1842.

In an open and dynamic society such as ours, basic issues are not resolved or sincere differences settled in silence. However, we have managed to grow together because we have respected each other and from time to time we have reconciled long-standing differences and then moved forward. Progress is made not by opening old wounds but by healing old grievances. In that spirit, I believe we have an opportunity now to put one of these difficult issues behind us as we seek to continue the progressive and harmonious development of our province.

The architects of Confederation, John A. Macdonald and George Brown, were Protestants who preferred the development of a nonsectarian educational system. However, in order to secure their national vision, they accepted and advocated the protection of denominational "common" schools in the British North America Act.

All Ontario provincial governments since that time have interpreted the "common" schools of that day as the elementary Roman Catholic and public education systems have been maintained and equitably funded across this province.

Historically, it has been possible for elementary schools to continue through to the 10th grade and, in recent years, many Roman Catholic school boards have organized their programs with public support to enrol pupils at the Grades 9 and 10 level. In keeping with the understood interpretation of the Canadian Constitution, secondary Roman Catholic schools have not been provided public funds beyond Grade 10. Roman Catholic families have seen and continue to see such a limitation on public funds beyond this level as arbitrary and inequitable.

In considering at this time whether the government of Ontario should extend financial support to secondary Roman Catholic schools, as has been requested by the Roman Catholic community for over half a century, we have been guided in our deliberations by three fundamental principles, all of which must be respected in the resolution of this matter.

First, we must not only respond to the claims of the moment, but we must also work to honour those contracts and obligations that were struck to create a united Canada in 1867. Second, we must not undertake a course of action that by its nature or in its execution would cripple or limit the viability of our non-denominational public secondary school system, which is accessible to all and universally supported and which will always remain the cornerstone of our education system. Third, we are not mere hostages to old arrangements, so we have a contemporary responsibility to be sure our answer on this question strengthens rather than fragments the social fabric of this province.

While men and women of courage and conviction have been divided on this issue, up to now no Ontario government has felt it was able to discharge its duty according to these fundamental principles while at the same time granting public funds to a complete Roman Catholic secondary school system. I now believe this can be responsibly undertaken and therefore, it is our obligation to resolve the issue.

The new direction is not compelled by or founded upon a reinterpretation of old statutes or jurisprudence. The letter of the old law cannot substitute for common sense. Further, we must all appreciate that historic benefits must keep pace with changing conditions. Roman Catholic families do not object to paying their share of the cost of an extensive universal nondenominational educational system, however, they cannot at the same time accept a logic that argues their taxes should be up to date but their historic benefits should be locked in.

Since the beginning of our parliamentary democracy, freedom and therefore diversity and pluralism have been fundamental values. Our public school system has always been fundamentally important and our commitment in this regard must not be diminished. The strength of Ontario's educational heritage rests in the general merit and the value of a universally accessible, publicly supported

school system. Experience has now taught us, however, that a limitation on public funding which confines it to the public secondary school system is no longer required to sustain the viability of public education in our province.

Implementing a dual secondary system will necessitate wise administration, which I will address in a moment. Yet I am confident our secondary system, in which we can all take considerable pride, will not be jeopardized. For some time, a third of the students in our dual elementary school system have been enrolled in our Roman Catholic schools. Through the administration of core curriculum and proper funding, our public elementary school system certainly has remained viable and, indeed, second to none.

With more stable enrolments at this time, along with appropriate funding, core curriculum changes and soon province-wide testing, there is no reason to believe our public secondary school system will perform any less effectively in the future.

Members should be aware of the fact that to protect our public education system, while assuming some costs which are now carried privately by Roman Catholic families, will require additional public funding. While some of this can be accomplished through appropriate redistribution, our ultimate objective will remain one of providing high-quality education at the lowest possible cost to the taxpayers.

In practical terms I do not believe we could or should create a separate public system or a small segment of our community that wishes to isolate itself, but we are addressing today the aspirations of a good third of our families, who have demonstrated their competence and determination to provide contemporary education for their children.

Above all, I wish to address a concern I have always held and which has been honourably put forward by many others. In all our endeavours we must seek to build fellowship and common values, not segregation and mutual suspicion, but dualism today surely does not mean upholding advancing or legitimizing the ancient idea of a separate Protestant Ontario and a separate Roman Catholic Ontario.

Clearly, our Roman Catholic citizens want to maintain their own school system for their children, but our community is not, as tragically some other parts of the world still are, divided on religious grounds. Roman Catholics, regardless of their educational backgrounds, work equally within our society and are every bit as ambitious to share fully in the life and progress of Ontario.

If we are to serve the spirit and the realities of 1867, we should acknowledge that basic education was what was recognized then and that today basic education requires a secondary, as well as an elementary, education. As the nondenominational system has evolved to meet society's needs, so too has the Roman Catholic school system.

The extension of financing to separate school Grades 9 and 10 demonstrates that financial and operational arrangements can evolve over time and honour the intentions of the original constitution. If we work co-operatively and prudently, we can complete this task without compromising the quality of our public schools, while demonstrating the essential justice and good faith of our society.

It is, therefore, the government's intention to permit the Roman Catholic school boards to establish a full range of elementary and secondary education and, as a part of the public system, to be funded accordingly. This new program will be introduced at the rate of one year of secondary education for each school year, beginning September 1, 1985. This process will be accomplished in much the same way we are implementing the new special education provisions and will parallel the revised secondary school structure. Some flexibility will be included to allow for a phase-in period that is in keeping with the capacity of the individual board in question.

Our first step will be to set up a planning and implementation commission to guide and advise all parties on the implementation of this change. It will receive and adjudicate the plans submitted by the Roman Catholic school boards. It will advise the government on required changes in the Education Act and, most important, it will conduct arbitrations that may well be required in some instances arising out of the sharing or the transfer of schools and school locations, as well as other matters related to the transition.

This commission will be vital to the effective execution of this program and will be made up of representatives of the Ministry of Education, the educational community at large and the Roman Catholic community.

It is not the expectation of the government, and I trust the separate school systems across Ontario will recognize this clearly, to expend large sums on new capital grants to accommodate demands for new secondary school facilities. Rather, the commission will ensure that our abundant existing capital stock is effectively employed to provide a full range of programs. I underline this point because I think it is very important. As my predecessor, John Robarts, indicated, a duplication of facilities caused by such a policy would be impractical and indefensible. The first planning task is to make maximum use of existing school plants.

Equally, we must consider the interests of our secondary school teachers. It has been a long-established practice for elementary Roman Catholic school boards to have Roman Catholics constitute the large majority of the teachers they employ. In the light of declining enrolments in our secondary system, it would be unacceptable and unfair to extend this practice to the new Roman Catholic secondary school system. Consequently, for a period of 10 years, Roman Catholic

school boards will employ non-Catholic teachers in their secondary schools who, once hired, will be permitted to earn tenure — the proper words would be “seniority” — religion notwithstanding.

The planning and implementation commission will work with the Ontario Teachers' Federation, the Education Relations Commission and others to assure that all teacher personnel matters are addressed in an equitable fashion. Further, while the essence of this new policy is to enrich the education resources available to Roman Catholic families in Ontario, it is my hope the new Roman Catholic school boards will consider granting to all students and their families in the most positive way universal access to publicly supported Roman Catholic schools, should such access be desired, limited only by the availability of space and the designation of assessment support.

I should also like to take this opportunity to state that it is still the wish of the government, pending the response to questions now before the courts, to create within certain boards of education panels of trustees elected by Franco-Ontarian electors who will have defined powers governing classes in schools where French is the language of instruction.

While my hope today is to resolve a historic issue in our traditional public education structure, what we have decided to do legitimately raises questions about the place of independent schools in our province. While rights are not at issue, the diversity and quality of our society are affected and served by these schools. The government believes it is timely and useful to review the role of these schools in educating our children. Thus, a commission of inquiry will be established by the Ministry of Education, first, to document and comment on the role of independent schools; second, to assess whether public funding and its attendant obligations would be desirable and could be compatible with the nature of their independence; and, third, to identify possible alternative forms of governance for these schools and make recommendations for changes deemed to be appropriate.

Finally, I would like to take this opportunity to address briefly our responsibility in funding education generally. The current formula for calculating general legislative grants has been in place since 1969. There is also the public concern about the costs of education and the ability of our school boards to contain such costs.

Given these considerations, along with the statement of policy I referred to at the beginning of my statement, the government intends to set up a commission to inquire into the financing of elementary and secondary education in Ontario. This examination is appropriate in order to ensure efficiency, economy, effectiveness and equity. It is also timely as the province moves to extend support for the Roman Catholic school system.

Both the commission on independent schools and the commission on the financing of elementary and secondary education will report in May 1985, and responses to their recommendations will be concluded by January 1986.

Before I close, may I return for a moment to the basic decision upon which we seek the understanding and acceptance of the community at large — the extension of public funding for our Roman Catholic secondary school system. Of course, there will be difficulties and, clearly, as with all changes in the order of things, some advantages that may be found in the status quo will be given up in securing new benefits. I am convinced, however, that our secure and vibrant school system is not threatened and the majority of our citizens who support our nonsectarian school system will not be hurt.

As Sir John A. Macdonald explained the accommodations of his time to the majority over a century ago: "We do not want to stand on the extreme limits of our rights. We are ready to give and take. We can afford to be just, we can afford to be generous, because we are strong."

It is neither my hope nor my expectation to settle all differences today. No one enjoys the last word in any democracy. However, as has been the case in nation building and constitutional reform, it is my strong conviction that the path we have chosen is worthy of broad agreement and will serve our common interests.

It is time to put behind us any lingering doubts about our regard for one another and to rededicate ourselves to the bright hopes of our future.

**[Mr. Bob Rae, leader of the New Democratic Party, stands on a point of order.]**

**Mr. Rae:** Mr. Speaker, on a point of order: In the light of the historic statement the Premier has just made, I wonder if it would be appropriate for the leaders of other parties to be allowed to respond to a statement I think is one that does a great deal to unite this province. It is certainly one I would like to respond to on behalf of my party.

**Mr. Speaker:** I ask the direction of the House.

**Honourable Mr. Davis:** Mr. Speaker, can I suggest because I go back in history a little, that there have been three occasions in my time as a member of the House when statements were made by the then Premier, at which time the leaders of the opposition parties made some observations. I appreciate the suggestion from the member for York South [Bob Rae].

I recall it at the time Mr. [Leslie] Frost made certain observations and I recall it at the introduction of the foundation tax plan when [Liberal leader]

Mr. [John] Wintermeyer — I think I am correct in this and the member for Brant-Oxford-Norfolk [Mr. Robert Nixon] can correct me — and the then leader of the New Democratic Party, made certain observations. On an issue of this nature, I would have no objection to accepting that as precedent.

**[Mr. David Peterson, leader of the official opposition, responds for the Liberal Party of Ontario.]**

**Mr. Peterson:** Mr. Speaker, this is indeed a historic day and I think all members of this Legislature recognize it as such.

When the Premier's assistant phoned my office at roughly one minute to two this afternoon to say there would be a major announcement, knowing the Premier as we do I must confess we thought it would be about the dome and not about so significant an issue in the history of this province.

We unreservedly support this statement. I am sure the Premier is aware of that. With the Premier's strong sense of history, which he revealed today in his statement, and his acute memory for what has transpired in this province, I am sure he would be the first to stand with me in applauding the member for Brant-Oxford-Norfolk for the strong stand he took on this issue when he was leader of the Liberal Party.

It is no secret that in the history of this province many people have given blood — some real and some symbolic — over this issue. On behalf of my party, I am proud today to identify myself and my colleagues with the statement of the Premier on this major advance in position. I am not one of those who is going to ask why. I am only going to say "hurrah." It is long overdue. It has been too divisive an issue for too many years in the past.

I take this occasion to celebrate the Road-to-Damascus conversion of the government on this issue. We are committed to trying to work with the government in any way we can to bring forward a successful, speedy and easy facilitation of these policies. We will work through a select committee, if that is one of the ways chosen. We will use our good offices to make sure these historical injustices are rectified as quickly and expeditiously as possible.

**[Mr. Bob Rae, leader of the New Democratic Party, responds for the NDP.]**

**Mr. Rae:** Mr. Speaker, few issues in our public life are as difficult or as divisive as issues surrounding religion and language. It is a curiosity to me that this is true. Ever since I went into politics, I have been surprised by it struck by it, and sometimes appalled by it. Anything any government can do to bring the people of this



province together on an issue that has proved to be as difficult and as divisive as this particular one is a tremendous contribution to decency and to our sense of civility as a province.

I would be wrong not to be generous today to the Premier, as he has, I think been generous to the people of this province in making this policy clear today. It would also be wrong if I did not pay tribute to the courage of many members of my own party who made this case and, indeed, made several parts of the Premier's speech before it became popular or before it became easier to do so. I pay tribute to some members of my own party who, at considerable personal cost, have participated in various election campaigns on this particular issue.

I say this not in a spirit of partisanship but simply in the sense that sometimes those who are prepared to say things 10 or 20 years in advance do pay a certain price. I think it would be wrong for us not to pay tribute to members in all parties who have taken the position that it was time — I believe some time ago, but certainly today — to recognize that we have fundamentally two public systems at work in the province, that they have to be funded fairly and equally and that we have to recognize the claim of a very substantial minority to genuine equality in educational funding.

It is going to take a great deal of goodwill, it is going to take a great deal of give and take and it is going to take a great deal of understanding to make this policy work.

When I raised this matter with the Premier in his estimates six months ago, I was hoping for an answer. I am very pleased with the answer we have received. I did not receive one at the time I asked for it. I am delighted to have received it today.

We will be coming back with some questions about implementation, some questions about how the policy can be made to work and some questions about overcrowding still in the elementary system; there are a number of problems that are still outstanding. But I want to say the Premier has made a very important contribution to a sense of fairness in this province by making this statement today. We congratulate him for it. We look forward to working with his government in seeing that it can work on a nonpartisan basis. All of us in this House have an obligation to make it work. The Premier has my personal commitment and the commitment of our party that we will make it work.

The time was right. We are delighted the move has been made. Equality has made an important advance in Ontario today.