



Public Section  
Media Release

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## SCHOOLS BOARDS LOOKING TO STRENGTHEN PUBLIC EDUCATION

The organization representing 15 public school divisions in Saskatchewan is calling for a broad discussion about the future of public education in light of the government's response to a court ruling on provincial funding for non-Catholic students who attend Catholic schools. This discussion should be part of a visioning process for the future of Saskatchewan's education system.

"A number of recent events have us concerned about our inclusive public education system, the cornerstone of our civil democratic society," said Bonnie Hope, chair of the Public Section of the Saskatchewan School Boards Association. "Everyone benefits when citizens are educated, but equally important is that our public schools are open to, and accepting of, every student no matter who they are or where they live."

The Public Section's concerns stem from the April 2017 Court of Queen's Bench ruling in what is known as the Theodore case. Public Section executive director, Norm Dray, stressed the court was not asked whether minority faith schools have the right to exist but rather whether the provincial government can legally fund non-Catholic students who attend Catholic schools.

"Mr. Justice Layh's decision is clear—it is unconstitutional for our government to fully fund non-Catholic students in Catholic schools," Dray said. Minority faith schools are constitutionally protected "but they start to look more 'public' than 'separate' when they open their doors to everyone and accept funding for students who are not of that faith."

Dray went on to say the government and Catholic schools are appealing the decision, but even before the legal process could unfold, the government introduced Bill 89, the *School Choice Protection Act*, which invokes the notwithstanding clause in the constitution.

“Bill 89 essentially says that in order to maintain the current funding practice, our government is willing to ignore the two sections of the *Canadian Charter of Rights and Freedoms* identified in the court ruling but also three sections of the *Human Rights Code of Saskatchewan*,” Dray said. “We do not believe the Theodore decision is the kind of extraordinary circumstance that warrants a government operating outside of the Charter or the Human Rights Code.”

The Public Section wants to see the legal process allowed to conclude and the energies of stakeholders shifted to strengthening inclusive public education. “School division and Ministry of Education officials should be discussing what a smooth transition into public schools would look like for non-Catholic students currently enrolled in separate schools in anticipation of the legal decision being upheld on appeal”, said Bonnie Hope, Public Section chair.

“Now that we have a decision that clearly defines the mandate of separate schools in Saskatchewan, we believe resolution of this issue requires nothing more than goodwill and attention to what’s in the best interests of students in the long term. We need to talk about this now so our vision for the future of education in our province is clear.”

For more information, contact:

Norm Dray, Executive Director, Public Schools of Saskatchewan,

[publicsection@sasktel.net](mailto:publicsection@sasktel.net), 306-229-5148

Suite 1104-611 University Drive, Saskatoon S7N 3Z1