



SCSBA



Saskatchewan Catholic School Boards Association

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FREQUENTLY ASKED QUESTIONS ABOUT CATHOLIC EDUCATION

Q. 1 Why do we have separate school systems in Canada and Saskatchewan ?

Canada :

- The provision for minority denominational rights was included in the *Canadian Constitution* in 1867 to protect the rights of Roman Catholics, a significant religious minority in the province of Ontario.
- The protection of this minority was a pre-condition to the creation of the Canadian nation. It represented the culmination of a long and hard fought struggle by the Roman Catholic minority to achieve educational rights for their community.

Saskatchewan:

- *The Saskatchewan Act* of 1905 reaffirmed the status of separate schools as defined by the *Canadian Constitution*. *The Saskatchewan Act* guaranteed that Catholic elementary schools (Grades 1 to 8) would be funded in the same manner as public schools.
- In 1978, *The Education Act* was enacted. It affirmed the provisions for denominational schooling and instituted procedures for the establishment of Protestant and Catholic separate school divisions and schools.

Q. 2 Why do we still need Catholic separate schools?

- Separate schools are still relevant today. Catholic schools provide an important faith based alternative for educating children and youth in our society.
- Government of Canada officials stated (1999) that eliminating fair and equitable funding for Catholic separate schools "would create a severe dent in the social fabric of the province of Ontario". (Baldwin, 1999, P.A6, National Post)
- Clearly, community outrage would be experienced in Saskatchewan were there ever to be an elimination of separate school rights in the province. It would certainly create the same "severe dent in the social fabric of the province" as suggested by the Government of Canada in the case of Ontario.

- In response to the situation in Ontario, the Government of Canada stated (1999) "Other provinces, such as Alberta and Saskatchewan, have also had a unique history leading up to their joining the Canadian Confederation in 1905. As with Ontario, protection of Roman Catholic denominational schools was a critical factor in the negotiations leading to their entry. As with Ontario, there is a strong basis for retaining denominational rights in those provinces".

Q. 3 Why are no other religious denominations allowed to establish separate schools?

- It is a matter of law that Section 93 of *The Constitution Act, 1867* provides for denominational schooling for either a Catholic or Protestant minority. The provisions of Section 93 were part of a crucial compromise that was a necessary step in the building of the nation of Canada. *The Ordinances of the North-West Territories, 1901* and the *Saskatchewan Act, 1905* affirm those denominational rights of the religious minority.

Q. 4 Why should taxpayers pay for dual systems that result in a duplication of services?

- There is no duplication as we are by definition *distinct* from the public school systems.
- The perception that there is duplication between the Catholic and public systems leading to inefficiencies is erroneous and research suggests that consolidation may produce insignificant, negligible, or non-existent savings to the public purse;
- The existence of dual school systems results in a "requirement of efficiency" due to the presence of the alternative school system; and
- Recent research has suggested that amalgamations or consolidations may not necessarily guarantee reduced costs or increased efficiencies (Redyk, 1996). Redyk asserted that the research demonstrates that in the case of school board amalgamation and consolidation, cost savings are anything but certain. In many cases, the savings realized by fewer administrators, for example, is more than made up for in the increased transportation costs that result. (Redyk, M (1996) School Division Amalgamation in Saskatchewan, SSTA Research Report #96-03)
- Erhardt (1997) stated that consolidated school districts experience no financial advantage, and, at the same time, demonstrate negative results in student achievement and experience a loss of community support compared to their experience prior to consolidation. Further, he stated that mergers, amalgamations, or consolidations tend to act as diversions from the primary task of educational improvement. The research also supports that larger school districts receive "less achievement value per dollar" Erhardt, G (1997). Doing More With Less: A Simulated Amalgamation of School Boards. SSTA Research Centre Report #97-04.
- There is significant evidence that illustrates that the large savings predicted by some critics of Catholic education are illusory. We would suggest that, at best, modest savings are possible in relation to small divisions and these savings are more than offset by costs associated with expanded services demanded of the now larger division. (See Appendix A of the Brief)

Q. 5 Who pays for Catholic separate schools?

- There are currently 8 Catholic school boards in the province. These school boards educate approximately 38,000 students from Kindergarten to Grade 12. In the 2013/2014 school year there are 118 Catholic schools in Saskatchewan.
- Saskatchewan Learning (2013) reported that 22.4% of students in the provincial system attend Catholic schools.

- In 2006 Statistics Canada reports that 31.7% of the population of Saskatchewan is Catholic.
- It is reasonable then to extrapolate that the Catholic population pays approximately 31.7 per cent of the taxes in Saskatchewan. The taxes paid by the Catholic people in Saskatchewan (both property and provincial taxes) fairly pay for Catholic Education.

Q. 6 *Who can designate property taxes to the separate system?*

- Only members of the minority faith are entitled to declare their property taxes in support of the separate school division. In the case of commercial taxes, a percentage of the taxes are designated to the separate school division based upon the percentage of Catholic shareholders (if it can be determined) or the percentage of residential taxes designated for the separate school system.

Q. 7 *Who can vote for Catholic school boards in municipal elections?*

- Only members of the minority faith may vote for Catholic school board trustees. Non-Catholic parents of students enrolled in Catholic schools are not entitled to vote for Catholic school trustees.

Q. 8 *Why do Catholic schools admit non-Catholic students?*

- The Catholic Church and Catholic schools have a social mandate to be open to all, especially the weakest of our society.
- While Catholic schools must remain grounded in the tradition and teachings of the Catholic Church, we are inclusive and respect the wishes of parents to have their children benefit from a Catholic education.
- It is part of the ecumenical mission of the Church to allow those who choose to learn about the Catholic faith to take part in a distinctive Catholic education.

Q. 9 *How are Catholic separate school boards and schools distinct?*

- The mission of all Catholic school boards and their schools is to create a faith community where religious instruction, religious practice, value formation and faith development are integral to every area of the curriculum.
- Catholic school boards and schools in Saskatchewan are committed to creating and sustaining schools that are centres of learning founded on a common faith in Jesus Christ as understood within the Catholic tradition. They also strive to create schools that encourage children to develop their individual gifts and talents in an atmosphere that is characterized by both freedom and the moral responsibility that is found in the teaching of the Catholic Church.

Q. 10 *Why shouldn't the majority make decisions about public education in Saskatchewan ?*

- The Canadian government stated 1999, "Public opinion polls are not a suitable criterion for assessing the justification of state action, particularly when they are relied upon to express the wish of the so-called majority to remove protection constitutionally and statutorily guaranteed to a minority group." (Baldwin, 1999 p.A6, National Post)

Q. 11 Do school boards have a right to levy property taxes?

- There have been two recent court rulings around this issue, one with respect to Alberta and one with respect to Ontario.
- The Ontario Appeal Court's decision affirmed the rights of Catholic separate schools to receive fair and equitable funding, it did not support the right of access to the local tax base for Catholic schools.
- As far as funding is concerned the constitutional guarantees require that Catholic schools receive equitable funding and have the flexibility to use the funding in pursuing the distinctive goals and objectives of the Catholic school system. The Court said that having the right to tax was not absolutely necessary to achieve this end or purpose. (OCSTA, 1999, p. 1)
- Catholic separate schools not only have the constitutional right to fair and equitable funding, but also have the right (and obligation) to use the funding as they see fit to pursue the *distinctive* goals of Catholic education.
- In Alberta, both the Alberta Court of Appeal and the Supreme Court of Canada upheld the rights of separate school boards to levy taxes on their supporters. We would note that the government in the Alberta legislation expressly provided for special entitlements in its legislation for separate boards to opt out of portions of the legislation in recognition of the applicable constitutional provisions affecting the Alberta Catholic minority.
- As outlined in the Alberta Court of Appeal, separate school boards do have the right to levy taxes on their supporters. This is also the case in Saskatchewan. However at the present time in Saskatchewan, Catholic school boards have agreed to support the government in the adoption of a provincial mill rate set by the government of Saskatchewan. In communities where there is a Catholic school division, Catholic rate payers are still obligated to declare that their taxes be assigned to the Catholic school division.

Q. 12 How do I change my property tax declaration?

- You must fill out a tax declaration form. These are available by request at your municipal office.
- On the form, you will be asked to supply your name and address. It also asks that you answer "Yes" or "No" to the following question:

"I am a member of the minority religious faith that established the St. Paul's Roman Catholic Separate School Division #20."

- Completed forms can then be returned or mailed to the municipal office. Filling out the form is a one-time process. It does not need to be filled out annually.

Q. 13 Can someone who is *not* Catholic pay their taxes to the Catholic school board if their children attend or have attended Catholic schools?

- The allocation of property taxes is based exclusively on the faith of the property owner(s). It is not a matter of personal choice, preference, business, employment or where one's children attend or have attended school.

Q. 14 If I'm Catholic, am I *required* to pay my taxes to the Catholic school division?

- Once you state on the tax declaration form that you are Catholic, your taxes must go to the Catholic school division if one exists in your RM or municipality. There is no choice offered. It is legally required by the Saskatchewan Education Act that where two publicly funded school divisions co-exist, property owners who are of the minority Catholic faith pay their taxes to the Catholic school division.

Q. 15 What if I'm Catholic, but my child has gone to a public school for years. Can I direct my taxes to the public school division?

- Members of the Catholic faith who confirm their faith on their tax declaration forms cannot do this, according to the Education Act. In order for the taxes to be directed to the public school board, individuals would have to state on their tax declaration forms that they are not Catholic. This is essentially a matter of conscience for each taxpayer.

Q. 16 Won't the public school boards have less funding if I pay my taxes to the Catholic school board?

- School boards are funded by a combination of property taxes *and* provincial government grants. These provincial grants increase or decrease depending on the total value of the property the board is allowed to collect taxes on. If a board receives less funding from property taxes, the size of the provincial government grant will change to take this into account.

Q. 17 How are property taxes directed if one property owner is Catholic and one is not?

- The property taxes can be directed to two different school boards. The amount directed to each board is based on the owner's share in the property and whether the individual declares on the tax declaration form that he or she is Catholic. For example, if a husband and wife are equal, joint owners of their property and one of them is Catholic and confirms that on the form, 50 per cent of the taxes would be paid to the Catholic board and 50 percent to the public board.

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