

The Issue

Independent schools are found in all Canadian provinces, and in 2014/15, they had a total enrollment of 386,761.ⁱ Partial funding for these schools is offered in B.C., Alberta, Saskatchewan, Manitoba and Quebec, and is linked to average per student operating funding for the public-school district where the school is located.ⁱⁱ That year, an additional 26,646 students were officially enrolled as homeschooled in Canada, which represented a 27% increase over 2007 enrolment.ⁱⁱⁱ

Inconsistent provincial/territorial regulations and arbitrary curriculum create discrepancies and inequalities in terms of education opportunities and the social justice education children receive. Lack of regulations and oversight have resulted in instances of communities /individuals using the independent school systems and homeschooling in order to enforce curricula that is harmful to a child’s well-being and development.

A few communities across Canada are failing to provide education to ensure the development of a child to their fullest potential and prepare a child for a responsible life in a free society. This is especially true in communities where harmful stereotypes such as traditional gender roles have been practiced and reinforced through education. These communities include:

1. **Bountiful B.C.:** Cheryl Milne of the Canadian Coalition for the Rights of Children and the David Asper of the Centre for Constitutional Rights accused the B.C. government of six decades of “acquiescence” when it comes to Bountiful. Milne pointed out that the government violated the UN Convention on the Rights of the Child by “failing to protect children in this community from sexual exploitation, abuse, trafficking, in addition to failing to provide them with the educational opportunities to which they are entitled”.^{iv}
2. In Manitoba, Ontario, and British Columbia, communities known as the **Twelve Tribes** also fail to properly educate their children.^v
3. **Tash**, a secluded ultra-orthodox Hasidic community tucked away in **Boisbriand, Quebec**, is also an example of a community that is ignoring its legal obligation to ensure all children receive a proper education.^{vi}

Education and Social Justice

Education and social justice are correlated – not only does quality education cultivate an understanding of social justice, it is an expression of social justice.^{vii} Social justice theorists consider the inequalities in opportunities to acquire

Equitable access to provincial curricula and social justice education for all children

Proposed by: CFUW Nelson and District

Adopted at the 2018 AGM

RESOLVED, That the Canadian Federation of University Women (CFUW) urge provincial and territorial ministries to work together through the Council of Ministers of Education, Canada to ensure equitable access to provincial and territorial curricula and social justice education for all children; **in particular, to examine the disparities across provincial and territorial homeschooling programs with the intent to review and implement best practices regarding regulations, policies, and over sights.**

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education as unacceptable and harmful to individuals and society.^{viii} In a just society, access to quality education is paramount.

Canada's International Treaty Obligations

The Convention on the Right of the Child secure the right to education for children (art. 28) and lay down the aims of education that all align with the realization of a child's human dignity and such as the "development of their personality, talents and mental and physical abilities to their fullest potential" (art.29).^{ix}

The Convention on the right of the child's points out the issue of access to education, but also access to quality content. "The education to which every child has a right is one designed to provide the child with life skills, to strengthen the child's capacity to enjoy the full range of human rights and to promote a culture which is infused by appropriate human rights values."

Role of the Federal Government in Education

While Canadian provinces and territories have jurisdiction over education, it is the role of federal government to work through the intergovernmental body of the Council of Ministers of Education, Canada^x to review policy issues and use its spending power to uphold Canada's international human rights obligations. The council sets priorities for elementary and secondary education with a view to ensuring that all children can access learning opportunities that are inclusive and provide them with world class skills.^{xi}

An additional role for the federal government in education is to focus on "the deepening of inequities across society and the federation."^{xii} Equity assumes that the federal state aims to ensure that "all children receive a good education by strengthening public schools, regulating private and home-based educators, and promoting cooperation between public school and home-based educators."^{xiii} Currently, only three provinces – Saskatchewan, Alberta and Quebec – have highly regulated levels of accountability; Manitoba, Nova Scotia, and PEI are rated to be moderately regulated, and Newfoundland & Labrador, New Brunswick, British Columbia and Ontario have very few homeschooling regulations.^{xiv} This diverse accountability points to the need for a federal framework to guide provincial oversight.

What must be done

Canada must promote rights awareness campaigns, particularly for vulnerable women and children, such as those living within closed religious communities and adolescent girls who may be unaware of their domestic or international rights.^{xv}

In addition, the federal government must collaborate with provinces and territories to ensure that every Canadian child acquires the skills and knowledge necessary to make his or her own choices and to participate in a democratic society.

- ⁱ MacLeod, Angela. "Share of Independent school enrollment", January 2018, URL <https://www.fraserinstitute.org/blogs/share-of-independent-school-enrolment-has-increased-in-canada>
- ⁱⁱ Ibid
- ⁱⁱⁱ Van Pelt, Deani. "Homeschooling in Canada continues to grow", August 2017, URL <https://www.fraserinstitute.org/blogs/homeschooling-in-canada-continues-to-grow>
- ^{iv} Bramham, D. (2011, April 1). B.C. teachers blame government for failing Bountiful's children. *Vancouver Sun*. Retrieved from <http://www.vancouversun.com/opinion/teachers+blame+government+failing+bountiful+children/4545178/story.html>
- ^v Carreiro, D. (2015, May 24). Ex-Twelve Tribes leader warns Winnipeg authorities about religious group. *CBC News*. Retrieved from <http://www.cbc.ca/news/canada/manitoba/ex-twelve-tribes-leader-warns-winnipeg-authorities-about-religious-group-1.3007041>
- ^{vi} Enright, M. (Presenter). (2017, October 7). Deprived of a secular education, former Hasidic man takes the Quebec government to court [Audio podcast]. In CBC Radio (Producer), *The Sunday Edition*. Retrieved from <http://www.cbc.ca/radio/thesundayedition/the-sunday-edition-october-8-2017-1.4327802/deprived-of-a-secular-education-former-hasidic-man-takes-the-quebec-government-to-court-1.4339058>
- ^{vii} Froese-Germain. (2014, October 27). On Public Education and Social Justice. *Perspectives. Issue #15. Perspectives. Issue #15*. Retrieved from <https://perspectives.ctf-fce.ca/en/article/3049/>
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- ^x Council of Ministers of Education Canada. (n.d.). *What does CMEC do?* Retrieved from https://cmec.ca/11/About_Us.html
- ^{xi} Learn Canada (n.d.) Joint Declaration Provincial and Territorial Ministers of Education, Canada. Retrieved from: <https://www.cmec.ca/Publications/Lists/Publications/Attachments/187/CMEC-2020-DECLARATION.en.pdf>
- ^{xii} Parkin, A. (2015). Defining an appropriate federal role in education. *Policy Options*. Retrieved from <http://policyoptions.irpp.org/magazines/building-a-brighter-future/parkin/>
- ^{xiii} Curren, R. & Blokuis, J.C. (Jan. 2011). Prima Facie Case Against Homeschooling. *Public Affairs Quarterly*, Vol. 25, No. 1. Retrieved from <http://www.jstor.org/stable.23056819>
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- ^{xv} Cook, R. J., & Kelly, L. M. (2006, September). *Polygyny and Canada's obligations under International Human Rights Law*. Position paper presented to Family, Children and Youth Section, Department of Justice Canada. Retrieved from <http://www.justice.gc.ca/eng/rp-pr/other-autre/poly/poly.pdf>