

SISTERS OF ST. JOSEPH OF SAULT STE. MARIE

GENERALATE

ST. JOSEPH'S COLLEGE

NORTH BAY, ONTARIO

P1B 8G6

*Sub*

February 6, 1981

RECEIVED / REÇU

H of C - C des C

18 FEB 1981

Committees and Private  
Legislation Branch  
Comités et Législation Privée

Dear Sir,

Our Congregation has, since 1936, been committed to the education of Catholic children in this part of Canada. Our Sisters teach in schools throughout Northeastern and Northwestern Ontario.

We are concerned about the future implications which could result from the wording, or lack of wording, in certain sections of the proposed Canadian Charter of Rights and Freedoms (Section 25 coupled with Section 2, 15; and Sections 42, 49).

Although Section 93 of the British North America Act remains in effect, as law, our concern is that attrition of our rights through judicial judgments and interpretations, based on the proposed charter, will eventually jeopardize both the religious values and the objectives of Catholic schools.

We feel, strongly, that any Canadian Charter of Rights should protect, unequivocally, the rights of parents to choose the kind of education that they feel is best for their children.

It follows that, in order to carry out its mandate, the denominational system which serves the parents has the right to establish policies and practices which must be adhered to by employees who freely choose to teach in that institution.

For these reasons, we add our support to the presentation made by the Canadian Catholic School Trustees' Association expressing their concern for the "freedoms, rights, and privileges of publicly funded Roman Catholic Separate Schools."

We endorse the attached proposals, submitted to the Special Joint Committee of the Senate and the House of Commons, by the above-mentioned group on December 4, 1980.

Knowing that these proposals will assure the continued education of the total person (mind, body and spirit), we trust that you will give the proposed amendments considered attention and action.

God bless you in your work.

Sincerely,

*Sister Nora Mullen*

Sister Nora Mullen,  
Councillor - Education Liaison.

NM:mm

Encl.

Copies also sent to the Prime Minister  
M.P. - Areas

PROPOSED AMENDMENT NO. 1

ADD A NEW SECTION AFTER PRESENT SECTION 24

1. The guarantee in this Charter of certain rights and freedoms shall not be construed as preventing or limiting
  - a) any rights or privileges, by any provision of the Constitution of Canada, granted or secured with respect to separate, dissentient or other denominational schools;
  - b) the establishment or extension by authority of public statute or otherwise of any separate dissentient or other denominational school or system of schools or of any scheme of funding from public revenues or otherwise for the support of such school or system as is deemed appropriate; or
  - c) the operation of any separate, dissentient or other denominational school or system of schools in accordance with its denominational requirements including, but not limited to, the right to follow a selective policy with respect to enrolment on the basis of sex or religion and to employ persons subscribing to the tenets of a particular religion.

PROPOSED AMENDMENT NO. 2

AMEND SECTION 36 BY ADDING SUBSECTION (2)

2. The procedure prescribed by section 33 shall be used to amend any provision of the Constitution of Canada whereby any rights or privileges are granted or secured with respect to separate, dissentient or other denominational schools.

PROPOSED AMENDMENT NO. 3

AMEND SECTION 50 BY ADDING PARAGRAPH (H)

- (h) any rights or privileges, by the Constitution of Canada, granted or secured with respect to separate, dissentient or other denominational schools.