

Disabled students have no faith in McGuinty

Allan Kaufman And Ira Walfish

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We endure constitutionally sanctioned religious discrimination in Ontario. The constitution permits the Ontario provincial government to discriminate in favour of one religion, by providing full funding to the 675,000 students who attend Catholic schools. The McGuinty government has refused, however, to extend any funding to the other 50,000 Ontario students (comprising only 2% of the total student population) who attend other faith-based schools: Protestant, Muslim, Greek Orthodox, Jewish. This injustice has been criticized in these pages before, and it is not our purpose to do so again. Rather, we cite this to explain the less publicized fact that Ontario's Premier, Dalton McGuinty, includes in this form of discrimination some disabled students who attend faith-based schools.

Ontario will pay for professional therapists to help disabled students who require a speech therapist, a physiotherapist or an occupational therapist in faith-based schools. But the province refuses to do the same for students who are blind, deaf or managing a learning disability. Premier McGuinty justifies their exclusion by arguing that the funding for these three categories of students (blind, deaf and learning-disabled) does not come out of the Health Ministry, but rather Ontario's Ministry of Education and that, as a result, no funding will be provided unless the student goes to a public or Catholic school.

This policy is hurting many disabled students, such as Tebat Kadhem, a 10-year-old Grade 4 student who attends an Islamic school in Ontario. Tebat labours day to day under a major disability when compared to the other students in her classroom. While she has some vision, she is classified as legally blind. At a recent press conference, Tebat's mother described how her daughter used to obtain special assistance, paid for entirely by the Ontario government, when Tebat attended public school for Grade 1. However, once Tebat's parents exercised their right of choice to a religious education and enrolled her in the Islamic school, everything changed. Now Tebat receives no funding whatsoever from the McGuinty government, which has completely abandoned her in that school.

When asked what Tebat needs from Ontario to keep up with her other classmates, her requests are rather modest. She needs a magnifier device to substantially enlarge the size of printed materials handed out by the teacher. In addition, during computer class she needs a special large-screen computer with software that can greatly expand the size of the printed words, so that she can see the words on the screen.

A recent lawsuit sponsored by an Ontario multi-faith coalition seeks to test the extent to which the McGuinty government is prepared to defend this indefensible policy. The lawsuit filed in Ontario Superior Court by parents of disabled students from faith-based schools, asserts that Ontario's conduct has violated the rights of their children under Canada's Charter of Rights and Freedoms.

To date, the McGuinty government's response to the lawsuit, filed by Tebat and the other disabled students, has been rather predictable. Michael Bryant, the Attorney-General, when faced with the choice of meeting with the parents or fighting them in the courts, has deployed his battery of constitutional lawyers to fight these disabled children in the courts. Mr. Bryant, it seems, would prefer to spend the government's money on lawyers than on the special needs of these disabled children.

To this insult is added another. The McGuinty government claims to set aside \$14.4-million annually for all the disabled children in Ontario's faith-based and other independent schools. However, recently uncovered figures reveal that the McGuinty government actually spends only about \$4.5-million of that amount each year because the government's own spending criteria for disabled children are too exclusionary.

This must change. The blind, deaf and learning-disabled who choose to go to faith-based schools should not have to face additional barriers to their education. Especially obstacles created by an unresponsive government that on the one hand claims to be "champions of the disabled" while on the other is pocketing \$10-million a year at the expense of disabled children in faith-based schools. - Allan Kaufman is legal counsel to the Multi-Faith Coalition for Equal Funding for Faith Based Schools and Ira Walfish is the organization's chairman.