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Francois Legault.

# Board caught in crossfire over Bill 21 fight

BY BRIAN DRYDEN, CANADIAN CATHOLIC NEWS

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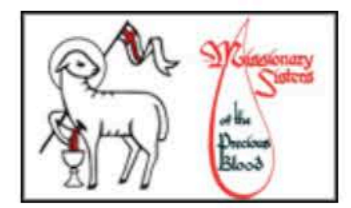
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OTTAWA -- Montreal's English language school board is vowing to continue its fight in the courts against Quebec's secularism law Bill 21 even though it has decided not to accept funding from a federal court challenge program and the fact that the school board will soon cease to exist.

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After news broke Feb. 5 that the school board had been granted \$125,000 from the federal Court Challenges Program (CCP) to fight Bill 21, the issue created a firestorm in Quebec with the provincial government, as well as the Bloc Quebecois in the federal sphere, slamming federal tax money going towards a court challenge of the Quebec law.

The English Montreal School Board (EMSB) quickly renounced the funding and in a statement Feb. 6 and said that no federal funds have gone towards its court challenge of Bill 21, which bans authority figures in the province such as judges, police officers and teachers from wearing religious symbols at work.

“To be clear, while the Court Challenges Program accepted the applications, the EMSB never received funds from the program. No federal funding has been used to fund litigation by the EMSB against the Quebec government,” the EMSB statement said.

In an interview with Canadian Catholic News, EMSB communications consultant Michael J. Cohen said the board has earmarked funding from its own budget to challenge Bill 21 and that is how the board will fund the litigation.

But how long the board will be able to challenge Bill 21 in the courts is an open question because on Feb. 7 the Quebec government invoked closure in Quebec’s National Assembly and forced through a law that abolishes all French and English language school boards in the province, turning over the running of schools to what it calls Quebec government service centres. French boards are officially eliminated on Feb. 29 and English boards by Nov. 1.

Quebec Premier François Legault cited the EMSB’s court challenge as a good reason to abolish school boards. *Le Journal de Montreal* reported Feb. 7 that the EMSB has spent or budgeted \$373,000 so far in its fight against Bill 21.

“It’s troubling, it’s troubling, because it’s money which did not go to services for children,” Legault is quoted in the *Montreal Gazette*. “Sonia LeBel (the minister of justice) is looking at what we can do. But it’s totally unacceptable that we took \$300,000 that was destined for children to challenge a law supported by the Quebec nation. It adds to the argument for abolishing school boards.”

While the EMSB will soon cease to exist, Cohen said the school board filed its challenge before the abolition of school boards and the EMSB’s lawyers expect the legal case to proceed. Cohen said the case is expected to be heard in Quebec court in October. However, Cohen concedes that the case could take years in the courts with appeals, and what actions the government takes to perhaps block schools from being involved in court challenges is unknown.

“We don’t even know what we are going to be called when it becomes a service centre, we don’t know what other moves the Quebec government could take,” Cohen said, adding that in the past when school boards have been shuttered or merged in the province, the new entity was still responsible for past legal issues.

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