

### Who Can Be Admitted to Ontario French Schools?

#### Objectives

- Inform parents.
- Clarify the rights to access French language schools in the province.
- Provide information concerning the systems that you have the right to enroll in.

#### Facts

- In accordance with Section 293 of the Education Act, it is up to the individual school board to allow a child into the French-language system whose parents are not Charter rights holders according to Section 23.
- If you have a right to attend a school system, the board cannot refuse to admit your children.
- There are four publicly funded school systems in Ontario: two public (Francophone and Anglophone) and two catholic (Francophone and Anglophone)?
- Francophones have the right to access at least two systems (one Francophone and one Anglophone) at the elementary level and four systems at the secondary level?
- In accordance with Section 23, three parent groups have the right to educate all their children in one of the French-language systems, if they are Canadian citizens and if:
  - The first language learned and still understood is that of the Francophone minority;
  - They were educated in a French-language elementary school in Canada;
  - They have a child who has been or is being educated in a French-language elementary or secondary school in Canada.
- A French catholic or separate school is a Roman Catholic school, which provides instruction in French.
- A French public school is non denominational and provides instruction in French.
- The French Public school is a language based school, non denominational, with French as the language of instruction.



- The French language catholic school is a roman catholic school where French is the language of instruction.
- Immersion schools are not French-language schools. The English-language system offers immersion programs for English speaking students. Access to these programs depends on the policies of each individual school board.
- Attending an Immersion school does not grant you any rights under Section 23 of the Charter of Rights.

### **Section 23: Canadian Charter of Rights and Freedoms**

- Section 23 of the Charter guarantees the French minority of Ontario the right to educate their children in French in schools funded by the public.
- The rights defined by Section 23 apply to the parents and not their children.
- Section 93 of the Constitution Act allows Catholics to operate their own system of Catholic schools financed by the public. Catholics, if they state that their taxes should go to the separate school system, can send their children to that school.

### **Rights Under Section 23**

- The right to receive a quality French-language education equivalent to the education offered in English.
- The right to school facilities equivalent to the Anglophone system's
- The right to a publicly funded system.
- The right to elect trustees.

### **Admission Rights**

- The right to enroll his child in a specific school depends to which system the parent pays education taxes.
- If a parent is a member of one of the three groups identified in Section 23, the parent has the right to register his children in a Francophone system whether the children speak French or not.



- Every Francophone parent has the right to be a taxpayer to a public school board.
- A Francophone parent who is a "taxpayer" to a public school board has the right to send his children
  - To English and French catholic elementary schools;
  - To English and French public and Catholic secondary schools.

The following sections of the Education Act deal with access to schools:

- Section 32 deals with the right to attend school.
- Section 33 contains the conditions to qualify as a resident of the different types of school boards at the elementary level.
- Section 36 deals with the access to secondary schools.

### **Taxpayers to the Public System in the Catholic System**

Section 42, section 13 of the Education Act states:

The child of a taxpayer to the public system that is registered in a catholic secondary school can be exempted from religious courses. A parent or "taxpayer" to the public system (or the child if he is of legal age) can apply in writing for the exemption. (Section 42, section 13)

- Even if a taxpayer to the public system does not have the right to enroll his children in a system where he is not a taxpayer, a school board can admit them.
- At the secondary level, parents can enroll their children in either system.
- The right to attend a specific system does not give you the right to choose a specific school in that system. However, most boards will allow parents to choose the school, as long as it does not require transportation costs for the board. The rules adopted by a board to determine who has access to which schools must not be discriminatory.
- When one is eligible to attend a specific school board, the board cannot charge fees; there will be no financial penalty to the parent for choosing that board.

### **Admission Rights of Non-Canadians**

One must be a Canadian citizen to benefit from the rights under Section 23. However, most boards admit non-citizens if French is one of their spoken languages. These parents must request an application under Section 293 and the school board must treat this application in good faith and without discrimination.

Parents would normally be invited to attend a meeting of the admissions committee created under Section 293, where the child's French language fluency will be assessed. School boards must assess the application in good faith.

### **Admission Rights Under The Education Act**

Admitting non-Francophone students:

- At the request of a parent, guardian or a non-Francophone student, the board can admit the student if the student's admission is approved by the majority of the members of the board's admission committee. The committee is made up of the principal of the school to which the request is presented, a teacher from the school or the board and a supervisory officer who works for the board.
- Thanks to Section 293, refugee immigrants who arrive in Ontario, who have French as their first language or as a second language and where French is an official language in their country of origin and who want their children to be educated in French can apply to the school board so that their child may be admitted to a Francophone school.
- For non-Francophone students or Francophone students of ethnic origins, who do not have rights of admission to the Francophone education system admission is discretionary.
- Usually, each board establishes its own diagnostic tests to evaluate the student's knowledge of French. These tests will determine which level the student will be enrolled in and whether he or she needs special programs.
- It is up to each school board to establish its own policies. These will determine the criteria for admission of non-Francophone students or Francophone students who are not rights holders under Section 23 of the Charter of Rights and Freedoms.



### Tips To Facilitate Access to French Schools

#### Information to Facilitate Admission to French School

The capacity of the child to speak French is usually a key factor to gain admission to a French school.

To help your child improve his or her French language skills:

- Always speak French to your child if you can.
- Ask those members of your family who speak French to always speak French to your child.
- Speak French at the admissions committee meeting to show your commitment.
- Enroll your child in French day-care facilities, French summer programs or French extracurricular activities.
- Encourage your child to watch French television and listen to the radio in French.
- Read the school board's admission policies.

#### Reference

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