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BUDGET 2020: A CHANCE TO ADVANCE A SECULAR BC

Brief to the Select Standing Committee on Finance and Government services

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British Columbia is a largely secular province. According to our polling in 2016, 64% of British Columbians do not practice a religion or faith and only 56% believe in a higher power.¹ Further, the Supreme Court of Canada has clearly expressed that governments have “a duty of religious neutrality.” The court wrote in the 2015 decision *Mouvement laïque québécois v. Saguenay (City)* that “The state must instead remain neutral...it must neither favour nor hinder any particular belief, and the same holds true for non-belief.”²

Since 1984, the British Columbia Humanist Association (BCHA) has provided a community and a voice for Humanists, atheists, agnostics and the non-religious in BC. Humanism is a worldview that promotes human dignity without belief in a higher power. We promote progressive and secular values and challenge religious privilege.

Our recommendations for Budget 2020 focus on how the government can ensure public funds are used to uphold its duty of neutrality and to reflect the secularity of British Columbians.

Our submission provides four recommendations:

1. Phase out public funding of independent schools
2. Reform property tax exemptions for “places of public worship”
3. Secularize the public healthcare system
4. End funding for discriminatory housing programs

¹ https://www.bchumanist.ca/religious_and_secular_attitudes_2016

² <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/15288/index.do>

1. Phase out public funding of independent schools

The BC Humanist Association supports the principle of public funds for public education and **calls for a phase out of public funding to faith-based and private independent schools.**³ Our 2016 poll found 63% of British Columbians opposed public funding going to private secular schools and 70% opposed funding going to private religious schools.¹ A poll this month found similar levels of public opposition.⁴

Group 1 independent schools receive 50% of the operating grant provided to a public school in the same district and Group 2 schools receive 35%. Group 1 schools must spend less per student than a public school while Group 2 schools are not subject to the same limit. Schools in both categories charge tuition that can reach into the tens of thousands of dollars per student. A small number of other independent schools are still regulated by the government but receive no direct public subsidy.

Cost to taxpayers

Where does independent school funding go?

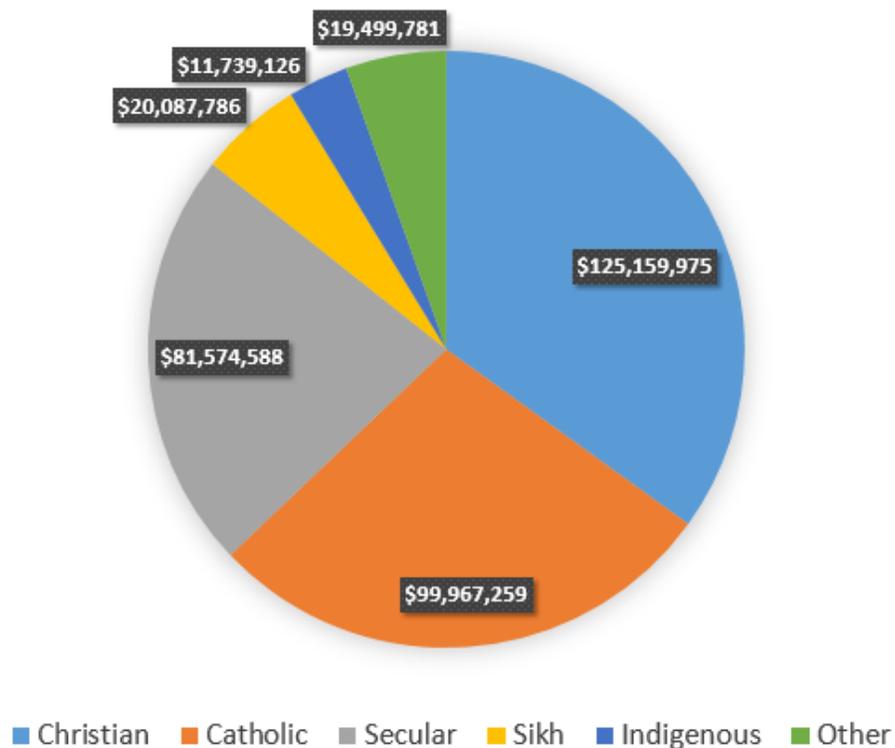


Figure 1: Distribution of independent school funding by religion, 2017/18

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https://d3n8a8pro7vhmx.cloudfront.net/bchumanist/pages/472/attachments/original/1536087204/independent_schools_2018_Apr.pdf?1536087204

⁴ https://www.bchumanist.ca/poll_finds_majority_strongly_oppose_funding_private_faith_schools

Budget 2019 projected that \$426 million would be spent on independent schools for the 2018/19 school year. Our 2018 analysis found that 74% of this funding went to religious schools – the overwhelming majority of which were Christian or Catholic (as shown in Figure 1).⁵ In fact, 62% of all independent school funding went to Christian or Catholic schools, despite only 45% of British Columbians identifying as such in the 2011 National Household Survey and an even smaller number in our survey.

As the Canadian Centre for Policy Alternative’s Alex Hemingway has pointed out, Group 2 schools are largely prep or elite schools and received \$43 million for the 2018/19 school year.⁶ He has also documented other grants and tax breaks that governments give to private schools: “For example, part of private school tuition can be claimed as a federal child care tax credit, based on the rather creative idea that recess and lunch in private schools represent a child care service.” There are also property tax exemptions and charitable tax credits for donations – which includes the tuition fees.

Anti-science attitudes

Funding for Group 1 and 2 schools is contingent on those schools teaching the provincial curriculum. However, by reviewing the public websites of a number of Group 1 independent schools we were able to find multiple examples of schools that explicitly say that they teach creationism as science or that they would undermine a robust science education by “teaching the controversy.”⁷ While independent schools are free to supplement the curriculum, the Ministry of Education has previously insisted that schools cease instruction about creationism in science classrooms.⁸

Additionally, vaccination records of schools across BC have shown that Christian independent schools are significantly lower than neighbouring public schools⁹ and Bishops have intervened to discourage parents from allowing their children to receive the HPV vaccine¹⁰. Notably, that Bishop’s intervention ignores the students’ rights as mature minors to consent to receive vaccinations, with or without parental consent.

Individuals and religious organizations have the right to believe and to teach that in their institutions. However, there is no right to having such beliefs endorsed by and the teaching of them funded by the government. Doing so only harms our province’s long term success.

⁵ https://www.bchumanist.ca/who_reaps_the_most_rewards

⁶ https://www.bchumanist.ca/estimating_the_scale_of_the_elite_private_school_giveaway

⁷ https://www.bchumanist.ca/bc_subsidizes_the_teaching_of_creationism_in_science_class

⁸ https://www.bchumanist.ca/creationism_part_3

⁹

https://www.bchumanist.ca/low_hpv_vaccination_rates_in_fraser_health_region_highlight_danger_of_religious_influence_on_bc_schools

¹⁰

https://www.bchumanist.ca/bishop_pressures_parents_to_overrule_students_rights_to_hpv_vaccine

Discriminatory policies

Numerous Group 1 independent schools maintain policies that effectively exclude LGBTQ2S+ students, staff and families, as well as anyone who has or assists in an abortion or assisted death. In a survey of publicly available information on schools' websites, we found community standards, student handbooks, parent's codes and Statements of Faith that individuals are required to sign and adhere to as a condition of attendance or employment at the school.¹¹ This is spelled out through a prohibition on "sexual relations outside of heterosexual marriage" or a requirement to uphold "the sanctity of life." CBC News reported in March about a teacher whose contract was not renewed after disclosing that she was not married to the man she was living with.¹²

These schools claim to be exempt from the BC Human Rights Code's prohibitions on discrimination based on sexual orientation, gender identity and family status. While we contest that argument, there's no reason the Government needs to be funding such discrimination directly. It further runs counter to the government's stated commitment to equality and freedom of discrimination. It also raises concerns under Section 15 of the Charter of Rights and Freedoms, similar to those ruled on by the Supreme Court of Canada in *Law Society of British Columbia v Trinity Western University*.¹³

No evidence to fear an influx

Defenders of maintaining the status quo have claimed that this funding saves the province money as these students would otherwise cost the public system double to fund them in a public school versus an independent school. However, this argument is based on a number of unproven assumptions. There's little evidence that families will move back to the public system if independent school funding is phased out.

Families choose to send their children to independent schools for a variety of reasons that have nothing to do with the financial capacity. This includes being part of a religious community, specific academic or extracurricular focuses or personal experiences with the public system.

Further, looking at the nationwide landscape it's clear that funding is not meaningfully correlated to independent school enrolment. Ontario has significantly higher independent school enrolment than British Columbia, despite providing no funding, while Alberta has lower enrolment with a greater per-student subsidy.

Simply put, there's no evidence that reducing or eliminating funding from independent schools will lead to a large influx into the public system.

A fundamental injustice

Even if we grant the previous assumption that funding students to attend independent schools saves the public money overall, we're still required to reduce our view of the

¹¹ <https://www.bchumanist.ca/are-lgbtq-families-welcome-at-bc-independent-schools>

¹² <https://www.bchumanist.ca/teacher-fired-for-relationship-status-cbc-go-public-story>

¹³ <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/17140/index.do>

purpose of our education system to one that only focuses on dollars and cents. Instead, our education system is the building block for our province's future success. As set out in the UN Convention on the Rights of the Child, every child has the right to an education "on the basis of equal opportunity." Private and faith-based education streams are antithetical to these aspirations as children are segregated by class and religion.

On faith schools in particular, we see the government as breaching its a constitutional duty to not privilege certain beliefs above others. Further, the government undermines its duty of equality by subsidizing discrimination against people on the basis of their sexual orientation, gender identity and family status.

The tuition charged by all private schools inevitably means that these schools are not universally accessible. Rather than the "basis of equal opportunity", private education is restricted to those children whose parents' have enough income or wealth. This is particularly true of so-called elite Group 2 independent schools but remains true for Group 1 schools as well.

By phasing out the funds currently spent on funding private education, that money can be used to support innovation and students with special needs within the public school system. The BCTF, in its brief, has provided a timeline for such a phase out over four years.¹⁴ Elite Group 2 schools would receive half their current stipend (17.5%) for 2019-20 and other schools facing a progressive rate-reduction schedule. On-reserve independent schools would be exempt from this phase out.

¹⁴ <https://bctf.ca/uploadedFiles/Public/Publications/Briefs/2019EdFundingBudget.pdf>

2. Reform property tax exemptions for “places of public worship”

Municipalities across British Columbia are required to exempt “places of public worship” by the *Vancouver Charter*, *Community Charter* and *Taxation (Rural Area) Act*. Further, each Act provides municipalities the power to exempt additional property held by religious organizations from taxation through permissive exemptions.

Fundamentally, we see these exemptions as providing a unique privilege to religious worldviews that is not similarly extended to nonreligious British Columbians. While religious organizations generally contribute to their local communities in various ways, the current statutory exemption presumes worship itself is a public good and worthy of subsidy. As an organization that explicitly argues British Columbians can be moral and upstanding citizens without organized religion, we contest this claim. Further, there are religious groups in this province that promote intolerance on various protected grounds including sexual orientation and gender identity. While those groups and individuals are free to hold such views, there’s no requirement that the Government of BC and local governments across the province provide financial support to them through property tax exemptions.

By surveying municipalities across British Columbia, we found that 5 of the 98 who replied do not extend permissive exemptions to religious properties.¹⁵ Another seven municipalities told us there were no churches in their jurisdiction. Of those 86 communities that provide an exemption, we found that 28, or roughly one-third, require the organization to pass some form of a public benefits test to qualify for the exemption.

Given these results, it seems likely to us that if given the powers, more municipalities might extend similar public benefits tests to the place of worship itself and others may rule out exemptions entirely.

Therefore, to give municipalities greater freedom over their local taxation policies, **we recommend repealing the statutory exemptions for places of public worship**. The province could then allow local councils to give permissive exemptions to any property held by a religious (or secular) non-profit organization.

By expanding the powers of municipal councils, the province can put the decision of how to treat religious properties in the hands of the local community. The local community is best situated to develop a public benefits test that reflects the benefits sought by that community.

¹⁵ https://www.bchumanist.ca/bc_religious_property_tax_exemptions_data

3. Secularize the public healthcare system

Over \$1 billion is paid out every year by the Government of British Columbia to healthcare institutions operated by religious organizations.¹⁶ This funding comes in the form of secular health regions, government grants, MSP payments and pharmacare payouts. Most of the religious organizations, and the largest, are Catholic.

These religious hospitals and hospices have received exemptions from the provincial government from providing otherwise legal healthcare services including prescribing contraceptives, performing abortions and offering medical assistance in dying.

As a government with a duty of religious neutrality, we believe the Government of BC needs to get out of the business of letting religious officials decide the healthcare policy of British Columbians. These facilities should, at a minimum, be required to offer all healthcare services without discrimination. If they refuse, then those institutions should be brought into the public system or have their public funding phased out.

An added benefit to bringing existing faith-based hospitals into the public sector is the elimination of duplication of the bureaucracy. Residents of Vancouver and Victoria are effectively being served by overlapping and competing health regions, only some hospitals refuse to put the needs of patients first.

¹⁶ <https://www.bchumanist.ca/bc-taxpayers-gave-1-billion-to-religious-hospitals-in-2015>

4. End funding for discriminatory housing programs

The housing and affordability crisis continue to demand action from the provincial government to ensure new homes are available to all who need them. In doing so, however, the provincial government must be judicious and ensure that every bed funded by taxpayers is open and welcoming to everyone.

In previously announced funding, groups with anti-LGBTQ+ views have received funding for additional affordable housing projects.¹⁷ This immediately raises concerns about whether these spaces will be equally accessible to people regardless of their religion, sexual orientation, gender identity or family status.

Further, even if these projects do commit to being inclusive, there is still an inherent (and sometimes overt) pressure for residents of a faith-based housing project to attend religious services offered by the owners of the facility or to hide aspects of their identity to continue to have a home.

The simplest way to eliminate this pressure is to ensure that every dollar of funding dedicated for affordable housing goes to secular organizations and projects. We call for a review of all provincial affordable housing funding policies to ensure public funds support inclusive and secular projects.

¹⁷ https://www.bchumanist.ca/humanists_raise_concern_about_christian_housing_funding