



## MEMORANDUM

DATE: 10 May 1999

TO: All TCDSB Trustees and Senior Staff  
All Catholic School Advisory Committee Chair and members  
All TSU Staff Reps  
All Secondary Principals

FROM: Steve Kirby, Kathleen Gardiner

RE: Bill 160 Constitutional Reference

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Please find enclosed the following important documents:

1. OECTA's Constitutional Challenge to Bill 160: A Summary of the Court of Appeal's Decision
2. Commentary: What is the significance of the Court of Appeal decision for separate school supporters?

Of particular importance is the commentary provided by legal counsel on the meaning of the Ontario Court of Appeals' ruling should it be allowed to stand as the final word on this issue. In the commentary, the Ontario Catholic School Trustee Association (OCSTA) position on the right to tax as a constitutionally protected right of Roman Catholic ratepayers is detailed. In the light of the Ontario Court of Appeal ruling, it would now appear that OCSTA has totally abandoned this long held position. Of interest is the fact that other Catholic trustee bodies in Canada, most notably, Alberta, support the OECTA position. As this case moves to the Supreme Court of Canada, it is anticipated that these Catholic trustee organizations will seek intervenor status in support of the OECTA position.

We believe this item should be of concern to Catholic ratepayers, to supporters of public Catholic education in Ontario. Please share the information in this mailing widely.

**Toronto Secondary Unit**

951 Wilson Avenue, Unit #20  
Downsview, Ontario M3K 2A7  
(416) 633-5502 / FAX (416) 633-9495