



## RULING ON THE APPLICATION FOR STANDING OF THE CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO

The Catholic District School Board of Eastern Ontario (the “CDSBEO” or the “Board”) has applied for full standing for Part I and Part II of this Inquiry, limited to those issues that directly affect its interests. The CDSBEO provided written submissions in support of its application, and counsel for the CDSBEO appeared before me on October 3rd, 2006 to present oral submissions.

After considering its submissions, I advised counsel for the CDSBEO on October 3, 2006 that I would grant its application for standing with reasons to follow. As the context hearings had begun much earlier, significant volumes of disclosure had already been provided, and the evidentiary phase of the hearings was scheduled to begin the next day, I felt that it was necessary for the CDSBEO to become engaged in the Inquiry process as soon as possible.

These are my reasons for granting standing to the CDSBEO. The CDSBEO is an English-language separate district school board within the meaning of the *Education Act*, R.S.O. 1990, c. E-2, as amended and its Regulations. It is responsible for English language instruction in elementary and secondary Roman Catholic Separate Schools in a number of counties, including Stormont, Dundas and Glengarry, and thereby, schools in the Cornwall area. The Board was created from the amalgamation of the English section of a number of former school boards, including the former Stormont, Dundas and Glengarry County Roman Catholic Separate School Board.

The CDSBEO and its predecessor boards, not unlike the Upper Canada District School Board, to which I have already granted standing, had and continue to have, duties and obligations in respect of the children attending its schools, including a duty to report children in need of protection. As a separate school board, however, it also has certain additional protections that are recognized in the *Education Act*, including the ability to establish and maintain programs and courses of study in religious education. Furthermore, the *Constitution Act, 1867* provides for constitutional protection of denominational rights to a Roman Catholic education.

Previous to its application for standing, the CDSBEO was asked to provide documents to this Commission, including Board policies, Board records, and student and employment records pertaining to the subject matter and time frame of the Inquiry. As well, the Inquiry has already heard evidence in respect of a number of subjects that may touch on the interests of the CDSBEO. These subjects include, but are not limited to, the following: the relationship between the separate school board and the clergy; and protocols, to which the CSDBEO is a signatory, for addressing situations involving children in need of protection.

Given the foregoing, I am satisfied that the CDSBEO is likely to be directly and substantially affected by Part I of this Inquiry, and grant it full standing, limited to those issues that directly affect its interests. In my view, the status of the CDSBEO as a separate school board makes its interests distinct from those of the Upper Canada District School Board, and as a result, it is appropriate to grant it separate standing.

I am also granting full standing to the CDSBEO for Part II of this Inquiry, limited to those issues that directly affect its interests. The CDSBEO and in turn, its staff and students, may be directly affected by any recommendations made in Part II. Additionally, the CDSBEO represents distinct ascertainable interests and perspectives that are essential to my mandate in Part II, and it may be well-placed to assist me in addressing the issue of further improvement of the response to allegations of abuse in the context of publicly funded separate school boards.

As I have noted with other parties, I am mindful that it is possible for conflicts to arise between a board and its current and/or former staff and/or their representative(s). Should such a conflict or potential conflict arise, I expect that counsel for the CDSBEO will advise Commission counsel in a timely fashion and ensure that such conflicts are resolved expeditiously.

The CDSBEO did not apply for funding.

Dated this 24th day of October, 2006

G. Normand Glaude  
Commissioner