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English Montreal School Board green-lights Bill 21 court challenge

THE CANADIAN PRESS
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MONTREAL — The English Montreal School Board will be the latest group to attempt a legal challenge of the application of Quebec's religious symbols legislation.

The board's commissioners have voted to hire a law firm to determine the "appropriate legal recourse" against the provincial government over the validity of the law known as Bill 21.

"There has already been an effect on being able to hire according to religious symbols," board chairwoman Angela Mancini said Thursday.

Mancini said at least four prospective teachers withdrew their applications after going through the interview process and being told they had to remove their symbols.

The cases involved mainly young educators who wore hijabs, Mancini said.

The province's largest French-language school board, the Commission scolaire de Montreal, has said it has dealt with five teachers affected by the law this year, four of whom agreed to remove their symbols while one did not.

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Despite the planned legal action, the board will continue to apply the law, as all other school boards across the province have done.

Bill 21 came into effect in June. It prohibits public servants deemed to be in positions of authority — including teachers, judges and police officers — from wearing religious symbols, such as turbans, kippas and hijabs.

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minority language educational rights to English-speaking minorities in Quebec.

The board noted several high court decisions have upheld the section to include the right to manage their public school systems.

The National Council of Canadian Muslims and the Canadian Civil Liberties Union are appealing a recent Quebec Superior Court decision that rejected a request for a stay of certain provisions of Quebec's secularism law.

That hearing before the Quebec Court of Appeal is on Nov. 26.

In affidavits filed in support of that appeal, Muslim women described how they've been affected.

One education student described how she felt after the east-end Montreal board decided student teachers also fell under the rules.

"One thing that is certain is that I won't take off my veil, it's part of my religious identity," the woman wrote.

Another woman who was successful in securing a job with a French board on Montreal's South Shore in April thought she was in the clear because her interview was before the bill had been tabled.

She was informed she'd have to remove her veil and ended up abandoning the teaching post to a monitoring job at another school. In her case, the board didn't see it as a dismissal and refused to provide a termination letter.

In another sworn statement, a woman said she hasn't been able to secure employment with either a French or English school board in Montreal because of her refusal to remove her veil. She'd done her studies in French in Montreal and graduated from McGill University.

"Now, I am depressed and anxious, and I feel like a second-class citizen in my own province," she wrote. "I did everything right growing up, working hard and pursuing my dreams, only to see the door to my career closed in my face just because of who I am and how I choose to dress."

The Bill 21 challenge brought by the NCCM and others is expected to be heard by Quebec Superior Court at a later date.

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Feels like 13 °C



Saturday	23 °C
Sunday	16 °C
Monday	19 °C
Tuesday	28 °C

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Premier Francois Legault challenged federal leaders on the campaign trail to stay away from court challenges against it and questioned the EMSB’s latest legal action.

Mancini said there is a clear difference of opinion between the government and board.

“For the EMSB, the whole idea to allow our teachers and our professionals and anyone who works for us to wear religious symbols is a question of value that we have, it’s a principle we hold dear,” Mancini said.

“I think it helps us to create an environment where students are learning to deal with differences and builds tolerance with those differences.”

This report by The Canadian Press was first published Sept. 26, 2019.

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