Recommendations following the receipt of complaints on the implementation of the U-Pass for students residing in the Province of Québec, STO territory.

October 2015
Nature of the complaints

We received 16 complaints between July 30\textsuperscript{th} and October 2\textsuperscript{nd} 2015 from students and parents of students residing in the province of Québec. The complaints are of two types: 1) objections from students who did not qualify for an exemption but who believed it unfair to be forced to pay for a service they would or could not use and 2) complaints related to the administration of the program, in particular, the exemption process.

Summary of the complaints:

- Students residing far but within the STO territory, such as Buckingham or l’Ange Gardien, argued that it would take a minimum of 90 minutes and 3 bus transfers to reach the campus, and particularly the Roger Guindon campus.
- Students had adopted other environmentally responsible means of transportation: walking, bicycling and carpooling.
- Students reported problems with the administration of the exemption process: the clauses for exemptions were applied differently to undergraduate and graduate students, request to supply class schedule were deemed unjustified and an invasion of privacy.
- Request denied even when circumstances were exceptional and related to parental responsibility: a graduate student at Roger Guindon, with 3 children aged 6, 9 and 12, had to drop off her children at school in the morning and could not take the 3 buses she would require and get to her classes on time.
- The Exemption form and the website contained many errors and did not always conform to the Exemptions clauses contained in the Contract with OCTranspo.

Information taken into consideration

The U-Pass program was adopted as a result of two referendums. The first referendum resulted in the implementation of the program for students residing in the OCTranspo territory only. Negotiations with the STO were not successful and students residing in the province of Québec on the STO territory were exempted from the program. Once the program was in place, a second referendum was conducted and the majority of students who voted decided to continue the program provided annual fee increases do not exceed 2.5%. The program has been running since 2010 with OCTranspo only. At that point in time, the program by all accounts was an OCTranspo program and always excluded students residing in the STO territory.
The Student Associations have contractual obligations to administer the program and the exemptions according to the clauses in the Contract and must be prepared to be audited by OCTranspo. They must have the necessary documentation to support their decisions to exempt some students. GSAED has delegated the responsibility to manage the program to SFUO.

In summer 2015, OCTranspo sought the approval of the Student Associations to pursue negotiations with the STO in order to include students residing in the STO territory. The Student Associations agreed without further communication or consultation with their membership affected by this decision. OCTranspo and STO arrived at an agreement and the program was extended to all students residing in the STO territory as of September 2015. Students are provided with a U-Pass, an OCTranspo bus pass which they can use in the STO territory.

The cost of a U-Pass this year is $385.40 for the fall and winter semesters, a significant fee reduction for OCTranspo bus users.

In 2010, I made a number of recommendations on the U-Pass, including the following which specifically addressed the question of students residing in the Province of Québec, STO territory:

*Given the complexity of negotiating a single U-Pass between two different service providers, two municipalities in two different provinces, it is recommended that the Student Associations with the support of the University, approach the STO with the goal of negotiating an agreement to procure a U-Pass for Québec Residents within the STO territory. The proposed agreement should then be put to a vote by referendum for Québec STO residents only.*

The recommendation was not followed and as written above, no further consultation was conducted with students residing in the STO territory.

The service provided by STO, a different public transit system, is not equivalent to what OCTranspo provides:

- STO buses do not serve the main campus, or any other campuses.

- Students cannot reach the campus without a bus transfer, or a minimum 15 minute walk. The students at the Roger Guindon campus must take 3 bus transfers, including the University shuttle. Students who reside furthest, in Buckingham for instance, must take at least 2 buses, and approximately 90 minutes to get to the main campus.
• The fee structure is very different at the STO. For example, a bus pass for students at the University du Québec en Outaouais (UQO) is optional and is $158.00 per semester, $34.70 less than the U-Pass, however, it should be noted that the UQO provides a subsidy to the STO. Other examples: the U-Pass represents a saving of 1) $29.30 per semester compared to the pass for Cegep de l’Outaouais students, 2) $55.30 compared to the pass for STO area students from other institutions between the age of 17‐20 and 3) $83.3 for their peers 21 and over, however, the STO semester passes are optional.

Students who are now required to participate in the U‐Pass because they reside in the STO territory were not informed of this possibility before or after the second referendum. For all intent and purposes, the U‐Pass has been an OCTranspo program since 2010. When students voted for the U‐Pass offered by OCTranspo they had access to information on the regular rates and those proposed under the U‐Pass, while the students from the STO territory were not given the same information.

Regarding the complaints about the process to obtain exemptions, we noted all the errors and brought them to the attention of the Student Associations and recommended that both the information on the website and the Exemption form be corrected.

Exemptions for graduate students are not being reviewed on the same basis as undergraduate students: administrators are asking these students to comply with additional requirements whereas the Contract makes no distinction between graduate and undergraduate students. For instance, a graduate student living in Montréal is required to submit a confirmation from his supervisor that he is conducting research outside Ottawa or Gatineau for more than 60 days (Option 9), even though the student meets the condition for exemption on the basis of residency outside the STO territory.

Conclusion

The number of complaints that we received on this matter indicates that these issues are important to students. It is worth mentioning that our office has never received this number of complaints on a single issue since we were established in 2010.

The service offered to students in the STO territory through this program is not equivalent to what is offered to students residing in the territory of OCTranspo: there are no STO buses serving the campus, and the fee structure is different. The benefits associated with the U‐Pass
are different for these students. It is worthwhile pointing out that the agreement negotiated for the UQO is more generous, in part because it is subsidized by the University. The more interesting feature in the fee structure is the voluntary nature of the program for STO residents. The benefits of the U-Pass are significantly different for the STO residents because of the difference in fee structure and the level of service. Approximately 7000 students were impacted by this decision.

By the time the second referendum was conducted, the program was for all intent and purposes, an OCTranspo program. Students residing in the territory of STO had been excluded from the U-Pass program from the outset of the program. They were not adequately informed about this possibility during the time of the second referendum and consequently they did not have a fair opportunity to voice their opinion on the extension of the OCTranspo U-Pass. Applying the result of the second referendum to these students is questionable. In my view, it is unfair to impose the U-Pass without informing the students of the proposal and conducting a referendum.

RECOMMENDATIONS

That the SFUO and GSAED provide their membership residing in the STO territory with complete information on the application of the U-Pass to them and conduct a referendum on the continuation of the program. Without a referendum, the program should be discontinued for those students residing in the STO territory.

That the SFUO, who is mandated to administer the program, correct the shortcomings of the process experienced this year, ensure their Exemption forms and the information on their website correspond to the clauses of exemption contained Contract; apply the residency clause to graduate students as per the clause in the Contract and be more prepared to present requests under the clause for special circumstances to OCTranspo.