



# **Title VI Policies for Major Service Changes, Disparate Impact and Disproportionate Burden**

**Transportation Committee  
January 14, 2013**

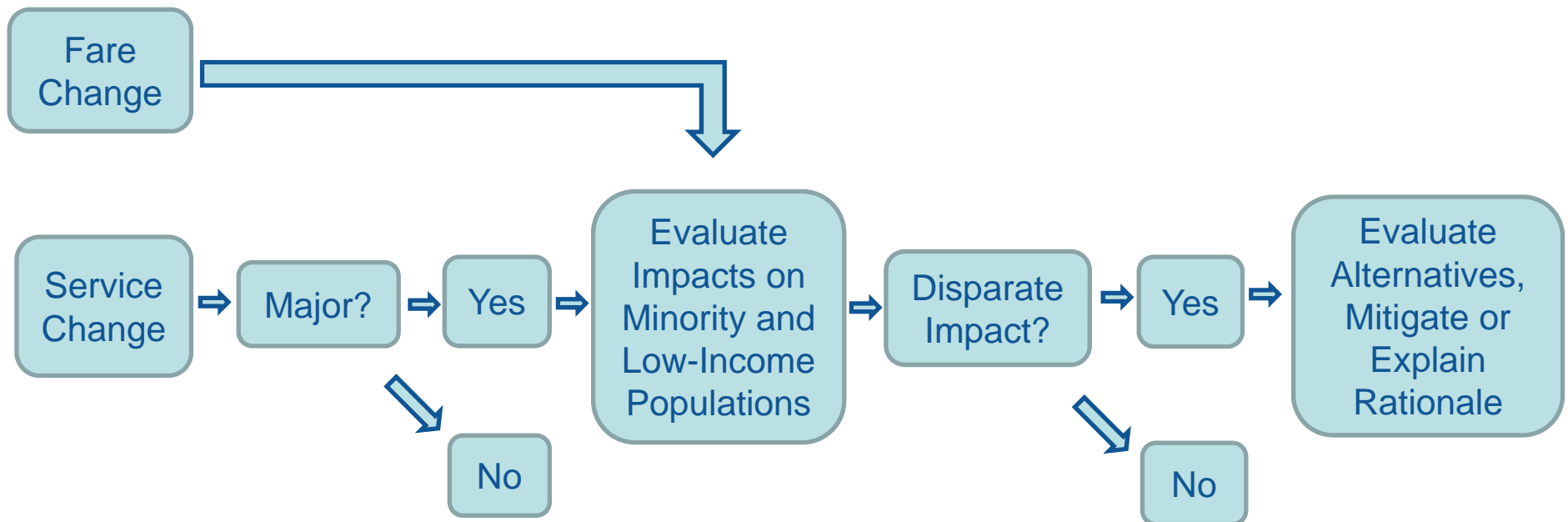
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# Overview of Title VI



## Title VI of the Civil Rights Act of 1964

No Person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”



## Circular 4702.1B

Effective October 1, 2012, replaced 4702.1A (2007)

[www.fta.dot.gov/civilrights/title6/civil\\_rights\\_11704.html](http://www.fta.dot.gov/civilrights/title6/civil_rights_11704.html)

All recipients of federal funding must submit a Title VI program every 3 years. Transit providers in an urbanized area with a population of 200,000 or more and at least 50 peak vehicles must establish policies defining thresholds for major service changes and disparate impacts/disproportionate burdens:

- The public must be engaged in the decision-making process to develop these policies
- Policies must be approved by Board of Directors or other governing entity

Reviewed policies from other transit agencies

Met with representatives from social advocacy organizations to seek input on how policies should be defined:

- African American Leadership Forum
- Alliance for Metropolitan Stability
- District Councils Collaborative of St. Paul and Minneapolis
- ISAIAH
- Minneapolis Urban League
- Minnesota Center for Environmental Advocacy
- Northside Transportation Network
- St. Paul NAACP
- Transit for Livable Communities

# Proposed Major Service Change Policy



Service changes significant enough to require a Title VI evaluation:

- For an existing route or set of routes, one or more net increases or decreases within a 12 month period of more than a 25% change in the daily in-service hours and 3,500 annual in-service hours
- For a new route in a new coverage area, a net increase of more than 3,500 annual in-service hours
- Restructuring of transit service throughout a sector or sub-area of the region as defined by Metro Transit
- Elimination of a transit route without alternate service or a fixed route replacement

A review is not required for seasonal changes, changing a route number or other designation, change or discontinuation of demonstration or experimental service within the first two years, service changes on special service routes, or route changes caused by an emergency.

# Proposed Disparate Impact Policy



Used to determine if a proposed fare change, major service change, or triennial review of system-wide standards and policies shows evidence of potential for discrimination.

## Four-Fifths Rule

There could be evidence of disparate impact or disproportionate burden if...

- Benefits are being provided to minority or low-income populations at a rate less than 80% (four-fifths) than the benefits being provided to non-minority or non-low-income populations
- Adverse effects are being borne by non-minority or non-low-income populations at a rate less than 80% (four-fifths) than the adverse effects being borne by minority or low-income populations

Based on Equal Employment Opportunity Commission's Uniform Guidelines on Employee Selection

# Next Steps



- January 23: Met Council adopts proposed policies for public review
- February 4-14: Public Hearings
- February 24: Public Comment Period closes
- Late February: staff modifies recommended policies based on public feedback
- March 11: Transportation Committee adopts final policies
- March 27: Met Council adopts final policies
- Update Title VI Program to include new policies



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