




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

**Transportation Committee  
June 10, 2013**

*Cyndi Harper  
Manager of Route Planning  
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## **FTA Title VI Guidance**

Circular 4702.1B took effect October 1, 2012, replacing 4702.1A

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, disparate impact and disproportionate burden:

- 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



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## Outreach



- Reviewed policies from other transit agencies.
- Met with representatives from social advocacy organizations to explain new circular and seek input on how policies should be defined.
- Draft policies approved in January 2013 for public input
- Five public hearings were held throughout the region
- Promoted in Connect, online and local newspapers. Comments accepted by testifying at a public hearing and via e-mail, US Mail, fax, and voicemail.
- Received comments from seven individuals



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## Recommended Major Service Change Policy




Service changes significant enough to require a Title VI evaluation:

- For an existing route(s), one or more service changes resulting in at least a 25% increase or decrease in the daily in-service hours within a 12 month period (3,500 annual in-service hours minimum)
- A new route in a new coverage area (more than 3,500 annual in-service hours minimum)
- 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 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.



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**Recommended 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


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**Proposed Action** 

**Business Item 2013-129**

That the Metropolitan Council approve the proposed policies defining a Major Service Change and determining the threshold for Disparate Impact and Disproportionate Burden

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## Example: Proposed Service Changes

A bus route restructuring project results in an increase in the overall amount of service available. We have determined the average increase in service levels for an area. Is there a disparate impact in where service improvements are being made?

	Avg. % increase in service levels
Low-Income Population	6.8%
Non-Low-Income Population	7.1%
Minority Population	8.1%
Non-Minority Population	11%



*Four-Fifths Threshold is 5.7%*  
*(7.1% x .8)*



*Four-Fifths Threshold is 8.8%*  
*(11% x .8)*

