

Title VI Proposed Update

Frequently Asked Questions

What is Title VI?

“Title VI” refers to Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. The Federal Transit Administration provides guidance for how transit agencies can comply with Title VI in FTA Circular 4702.1B (2012).

One of the ways CapMetro is required to comply with Title VI is through evaluating major service changes and their Title VI impacts on minority and low-income groups. (This evaluation is called a service equity analysis, and it helps CapMetro determine if the effect of a service change is discriminatory.

- When a change disproportionately affects minority populations, it is called a **disparate impact**.
- When a change disproportionately affects low-income populations, it is called a **disproportionate burden**.

CapMetro’s Title VI goal is for minority and low-income populations to receive at least their share of the benefits in the case of a net service increase, and no more than their share of the adverse effects, in the case of net service reductions.

When does CapMetro regularly review Title VI policy?

Every three years, CapMetro reviews all Title VI policies to ensure we’re fully compliant. For this current review, we hired a consulting team, Cambridge Systematics, who confirmed that CapMetro’s current methodology is fully compliant with Title VI regulations and in line with industry practices.

The team used this review period as an opportunity to talk with other transit agencies about their approach to Title VI, specifically their process for conducting a Service Equity Analysis. Through this review, we’ve identified potential changes to the existing methodology utilized by CapMetro. The following updates are intended to simplify the process of the Title VI analysis and provide greater efficiency for staff to identify situations where disparate impacts or disproportionate burdens may occur.

Why use onboard survey data?

In the past, CapMetro has relied on general area demographics from the U.S. Census Bureau to assess the potential impacts of service changes. However, as required every 5 years by the FTA,

we have recently concluded an extensive onboard survey that provided statistically significant demographic information about CapMetro riders. CapMetro staff plan to utilize this most current on-board survey data as a pillar of our Title VI service equity analysis.

On-board survey data provides the most accurate picture of our riders and their demographic characteristics, making it a prime choice for analyzing changes that affect users of our existing transit system, as a whole and by service types. Decennial Census or American Community Survey data (ACS) can still serve as the best data source for route alignment changes or new routes since the census data are geographically based and they primarily tell us about the residents near a proposed transit route.

Can you show me an example of the new analysis?

The following tables show some **hypothetical** examples of how CapMetro would identify when a disparate impact or disproportionate burden would be identified in the case of a major service change (in these cases, a reduction in service) using onboard survey data.

Table 1: Example Disparate Impact (DI) Finding

	Minority Riders on Route (On Board Survey)	Minority Riders in the Service Area (On Board Survey)	Disparate Impact Threshold	Difference	DI?
Route A	72%	69%	2%	3%	YES

In Example 1, the percentage of minority riders on Route A is 3 percentage points more than the service area average. Since the difference is more than 2%, which is CapMetro’s threshold, there would be a disparate impact finding.

Table 2: Example Disproportionate Burden (DB) Finding

	Low-Income Riders on Route (On Board Survey)	Low-Income Riders in the Service Area (On Board Survey)	Disproportionate Burden Threshold	Difference	DB?
Route B	80%	49%	2%	31%	YES

In Example 2, the percentage of riders with low income on Route B is much higher than the service area average (31 percentage points more). Since that difference is more than 2%, which is CapMetro’s threshold, there would be a disproportionate burden finding.

How is this different from the old policy?

We are proposing that our Service Equity Analysis uses onboard survey data when feasible, as opposed to Census data.

We are also proposing an update to the analysis that would use the service area average as the baseline for determining potential impacts. In the past, we've compared non-minority to minority populations at the route level, and the updated policy would mean comparing a route's minority population to the service area's minority population.

Other changes you might notice in the policy are simply marketing updates or text additions that reiterate instructions provided by the Federal Transit Administration (FTA) on how to comply with Title VI.

How is CapMetro engaging the community in this effort?

We recognize that any update to the Title VI policy needs a robust and inclusive public engagement effort. CapMetro's public involvement efforts for the proposed Title VI Policy update include a plan to engage the community and stakeholders through broad outreach to inform and collect public feedback. T

The campaign will engage stakeholders, integrate public feedback, and culminate with a public hearing on April 10th at noon at 2910 E 5th Street.

To ensure inclusivity, we will follow our Language Assistance Plan (LAP) for all materials and outreach activities. Engagement methods include a dedicated webpage, direct emails, printed flyers, text alerts, at-stop signage, outreach at stops, advisory committee presentations, and an online virtual open house. As always, our engagement strategy will be tailored and expanded to meet community feedback and needs and can include additional presentations, 1:1 meetings, educational sessions, or marketing materials.

When will the new policy take effect, if approved?

We anticipate the CapMetro board acting on the proposed policy in May 2024. Once approved by the board, the policy would be effective immediately. Note: The service changes implemented in Summer and Fall are approved by the board in March and April, before approval of the proposed Title VI update. The first service change to be implemented with the new policy would occur in January 2025.