

Agency Perspective on Best Practices in Title VI Compliance

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2013 Multimodal Operations Planning Workshop



Presentation Outline

- L.A. Metro
- Consent Decree History
- 2011 Compliance Review
- Setting Policies
- Conducting Compliant Title VI Analysis



Metro Civil Rights Background

- Bus Riders Union suit in 1996 alleging discrimination under Title VI
 - Issue is Bus versus rail
 - Consent decree signed in 1996 and oversight of Metro continued for 10 years + 3 year extension
- In 2011 BRU files new complaint with FTA alleging discrimination by Metro
 - 900,000 hours of service reductions



2011 Compliance Review

- Finds 5 areas of deficiency
 - Notice to Beneficiary
 - LEP
 - Service Monitoring
 - Service Standards
 - Service & Fare Equity



Service & Fare Equity

- Finding that Metro did not conduct required service equity analysis for service changes from Dec 2009 – Jun 2011
- Metro did not have major service definition in place
- Fare equity analyses had not been performed for fare changes since May 2007



Developing Definitions & Methods

- Major service change definition easy
 - 25% of service
- How to do a Service Equity Analysis
 - Impossible to agree under old guidance
- New Guidance in Oct 2012
 - More clear, easier, entirely different approach
- **BOTTOM LINE** – Only who is affected matters



Developing Fare Change Methods

- All fare changes are included
- How to do a Fare Equity Analysis
 - New Guidance in Oct 2012
 - More clear, direct, different approach
- **BOTTOM LINE** – Only who is affected matters



Defining Disparate Impact

- Metro ridership 90% Minority
- Approach now based on populations impacted not amount of change
- Sample data from FTA suggests 5-10% range for absolute difference between impacted populations is acceptable



What We Adopted & FTA Approved

Major Service Changes

- Disparate impact occurs on major service change if:
 - Difference between impacted minority population share and overall minority population share is more than 5%

OR

- Impacted minority population share differs by more than 20% of overall minority population share



Fares – Definition of Disparate Impact

FTA Approved

- Disparate impact occurs on fare change if:
 - Difference between a Method of Payment share of overall riders and that Method's share of all minority riders is more than 5%

OR

- The Method of Payment share of all minority riders differs by more than 35% of the Method's share of overall riders



Disproportionate Burden Determination

- Analagous to Disparate Impact
 - Based upon Poverty or Low Income ridership instead of Minority ridership
 - Same numeric thresholds for impact



FTA Approved Fare Equity Analysis

- Only one method available
- Requires survey data on ridership by:
 - Method of Payment
 - Ethnicity
 - Household Income



FTA Approved Service Equity Analysis

- Only 2 Options – Actual Riders or Underlying Demographics of a Line
 - Must have line level minority and income data for Actual Riders method
 - Lacking line level data, then Underlying Demographics may be used
 - Metro used Underlying Demographics



Step by Step Fare Equity Analysis

- Determine annualized boardings by Method of Payment (MOP)
- Derive annual minority boardings by MOP
- Derive annual low income (or poverty) boardings by MOP
- Determine avg fare per boarding by MOP
- Determine proposed avg fare per boarding by MOP



Fare Equity Analysis (cont.)

- Compare Minority shares to overall shares of riders by MOP to determine if any MOP's are potential for Disparate Impacts
- Same for Low Income to assess potential for Disproportionate Burden
- Determine Disparate impact and/or Disproportionate Burden based upon direction of fare change
- We compared minority vrs all, guidance appears to permit minority vrs non-minority



SAMPLE Fare Equity Results

Fare Type	Minority Riders	Low Income Riders	All Riders	Absolute Difference Minority (>5%)	Minority Difference from Overall (>35%)	Absolute Difference Low Income (>5%)	Low Income Difference from Overall (>35%)	Cost Existing	Cost Proposed	Fare Change Absolute	Fare Change %
Cash	29.2%	26.4%	20.2%	9.0%	44.6%	6.2%	30.8%	\$ 1.50	\$ 1.55	\$ 0.05	3.3%
1 Day Pass	21.1%	25.7%	20.1%	1.0%	5.0%	5.6%	28.0%	\$ 4.50	\$ 5.50	\$ 1.00	22.2%
Senior	1.3%	3.2%	2.1%	-0.8%	-38.1%	1.1%	52.4%	\$ 0.50	\$ 0.50	\$ -	0.0%
Disability	2.1%	6.5%	1.7%	0.4%	23.5%	4.8%	282.4%	\$ 0.50	\$ 1.00	\$ 0.50	100.0%
Adult 31 Day	22.6%	11.4%	33.4%	-10.8%	-32.3%	-22.0%	-65.9%	\$ 57.00	\$ 50.00	\$ (7.00)	-12.3%
Student 31 Day	14.0%	17.6%	14.4%	-0.4%	-2.8%	3.2%	22.4%	\$ 30.00	\$ 35.00	\$ 5.00	16.7%
Adult 7 Day	9.6%	9.1%	7.6%	10.0%	26.3%	1.5%	19.7%	\$ 15.00	\$ 17.00	\$ 2.00	13.3%
Stored Value	0.1%	0.0%	0.5%	-0.4%	-80.0%	-0.5%	-100.0%	\$ 13.50	\$ 18.00	\$ 4.50	33.3%
Total	100.0%	100.0%	100.0%								

	Disparate Impact	Disproportionate Burden
Cash	Disproportionately minority, (fare change is 3.3%)	Disproportionately EJ, (fare change is 3.3%)
1 Day Pass	Not disproportionately minority	Disproportionately EJ, (fare change is 22.2%)
Senior	Not disproportionately minority	Disproportionately EJ but no fare change
Disability	Not disproportionately minority	Disproportionately EJ & (fare change is 100%)
Adult 31 Day	Disproportionately non-minority (fare change -12.3%)	Disproportionately not EJ (fare change is -12.3%)
Student 31 Day	Not disproportionately minority	Not disproportionately EJ
Adult 7 Day	Disproportionately minority (change is 13.3%)	Not disproportionately EJ
Stored Value	Not disproportionately minority	Not disproportionately EJ

Red Text = Disparate Impact

Blue Text = Disproportionate Burden

Step by Step Service Equity Analysis

-- Underlying Demographics Method --

- For each major service change
 - Identify all stops (or stations) on the impacted portion of the line
 - Determine population, minority population, and poverty population within catchment area of impacted stops (1/4 mile-bus; 1/2 mile-rail; & 5 miles –Park/Ride facility)
 - Use lowest level of data available (minority data is block group / poverty data is tract)



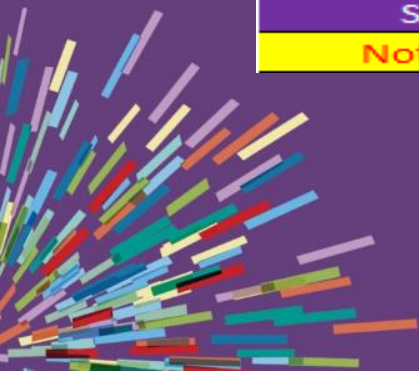
Underlying Demographics Method – cont.

- Calculate by service change type then aggregate data for all major changes
 - Adverse changes treated as negative values
 - Positive changes are positive values
- Determine net impacted population, minority population and poverty population
- Disparate & Disproportionate impacts based upon comparison of net impacted values to service area averages



Example Result – Service Equity Analysis

	Impacted Population	Impacted Minority Population	Minority Share		
Positive Actions	1,342,645	993,557	74.0%	Absolute Difference	% Difference
Adverse Actions	-1,091,400	-796,722	73.0%		
Net Impacted	251,245	196,835	78.3%	7.8%	11.1%
Service Area Minority Share			70.5%		
Not Disparate - Higher Minority Share, Positively Impacted					
	Impacted Population	Impacted Poverty Population	Poverty Share		
Positive Actions	1,550,631	260,506	16.8%	Absolute Difference	% Difference
Adverse Actions	-1,240,733	-198,517	16.0%		
Net Impacted	309,898	61,989	20.0%	4.1%	25.8%
Service Area Poverty Share			15.9%		
Not Disproportionate - Higher Poverty Share, Positively Impacted					



Key Observations

- Only two things matter:
 - Who is impacted
 - Is impact favorable or adverse
- Good rider survey data is essential
 - More detail → More specific methods avail.
- GIS Application essential for Demographic Analysis
 - Routes defined
 - Stop/Station locations defined
 - Census and ACS data incorporated



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