



## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>		<b>GENERAL MANAGER ACTION REQ'D:</b>		
DocuSigned by:  BAA357BD7E1A4FF...				
<b>DATE:</b> 12/1/2025      12/29/2025		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Sharlana Anthony <b>Dept:</b> Office of Civil Rights <b>Signature/Date:</b>	<b>General Counsel</b> DocuSigned by:  F8FD7B3A73E74E8... 12/23/2025	<b>Chief Financial Officer</b> Signed by:  7D9A7C6E7348456... 12/23/2025	<b>District Secretary</b> DocuSigned by:  AFF4529E1F0D45C... 12/29/2025	<b>BARC</b> DocuSigned by:  3BB24D65B8724F5... 12/26/2025
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### Title VI Triennial Report to the Federal Transit Administration

#### PURPOSE:

To request Board approval of the District's Title VI Civil Rights Program 2025 Triennial Update.

#### DISCUSSION:

BART, as a recipient of federal funding, is required by the Federal Transit Administration (FTA) to comply with Title VI of the Civil Rights Act of 1964 (Act) and its related regulations. Pursuant to FTA Title VI Circular 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients, effective October 2012 (Circular), BART is required to submit a Title VI Civil Rights Program (Title VI Program) to the FTA once every three years. The Title VI Program must be approved by the Board prior to submission to the FTA on February 1, 2026. The 2025 Title VI Civil Rights Program includes BART's Title VI compliance efforts during the reporting period, January 1, 2023 to December 31, 2025, and sets forth BART's Title VI program for the next three years 2026-2028. The 2022 Title VI triennial was approved by the FTA on January 12, 2023. The Board will be approving BART's 2023 –2025 Title VI Program activities and reaffirm the Title VI program for future 2025-2028 review period.

Requirements and Guidelines:



BART's Title VI Program consists of the following general compliance requirements and guidelines:

- Notification to Beneficiaries of Protection under Title VI
- Title VI Complaint Procedures and Complaint Form
- Recording and Reporting of Title VI Investigations, Complaints, and Lawsuits
- Promoting Inclusive Public Participation
- Providing Meaningful Access to LEP Persons
- Minority Representation on Planning and Advisory Bodies
- Assisting and Monitoring Subrecipients
- Determination of Site or Location of Facilities

The Circular also requires that all fixed route transit providers, such as BART, comply with the following requirements:

- System-Wide Service Standards and Policies
- Transit Service Monitoring
- Collection and Reporting of Demographic Data
- Major Service Change Policy
- Disparate Impact and Disproportionate Burden Policy
- Equity Analysis of Service and Fare Changes

#### Title VI Compliance Efforts (1/1/23 – 12/31/25)

In addition to the requirements and guidelines listed above, the Circular requires that the Board approve the District's Title VI related policies, service and fare equity analyses, and transit service monitoring. These documents demonstrate BART's Title VI compliance during the Program's reporting period.

#### Title VI Service and Fare Equity Analysis:

BART must conduct an equity analysis for any Fare Change or Major Service Change to determine if the proposed change will have a disparate impact on minority populations or a disproportionate burden on low-income populations. The table below summarizes the Fare and Service equity analyses conducted during this reporting period.

The results of the following equity analyses found mitigable disparate impacts or

disproportionate burdens on minority or low-income populations.

- *CPI Fare Increase.* These two fare increases together served as the second-to-last in BART's third series of productivity-adjusted inflation-based fare increases. The proposed fare increases help fares keep pace with inflation, generating revenue that supports BART operations as well as BART's capital reinvestment projects.
- *Clipper Start Discount Increase.* To leverage the early successes of the pilot and enhance its impact, BART proposed to increase its per-trip discount from 20% to 50% off of the Clipper Adult fare for qualified riders.
- *Parking Policy Update.* Based on capacity at each station, BART sets parking prices within a range. The policy change increases the range of rates BART may charge. Capacity will be periodically reviewed. If the station parking reaches capacity, only then could rates increase within the range. The policy also included a request to extend the hours BART may charge for parking from 3:00 pm until 6:00 pm and Saturdays or Sundays.
- *Clipper BayPass and Free & Discounted Transfers.* The Clipper BayPass provides an opportunity for Universities, Colleges, Affordable Housing entities, and other organizations to offer transit passes to students, residents, and employees. These entities purchase transit passes for their stakeholders and those riders can enjoy free access to all bus, rail, and ferry services in the nine (9) county area, except Muni cable cars. The Free & Discounted Transfer Program offers a more seamless experience for riders. When making a trip that requires transferring between transit agencies, riders using Clipper will pay the full fare for just the first agency. Transfer trips made between agencies in the two hours following their first Clipper card tag will be free or discounted up to the maximum local fare.

### Monitoring Transit Service

Staff seeks Board approval of the Service Monitoring results, included in the Title VI Program. As a fixed route transit provider, BART is required to monitor the performance of its transit system relative to its adopted system-wide Service Standards and Policies every three years. BART's transit service in the 2025 Title VI Program was monitored based on the standards adopted by the Board in BART's 2016 Title VI Program.

The Service Standards Monitoring Results are divided into four sections: Vehicle Load, Vehicle Headway, On-time Performance, and Service Availability. The Service Policies Monitoring Results are divided into two sections: Distribution of Transit Amenities and Vehicle Assignment. For all categories except Transit Amenities, BART's Disparate Impact/Disproportionate Burden (DI/DB) Policy threshold is used as guidance in applying a

5% threshold for assessment of these System-wide Standards and Policies. Transit Amenities are to be distributed equitably, generally in proportion to station ridership and as a function of location (urban/suburban) and station design. Applying this methodology and threshold to an assessment of BART's system-wide Service Standards and Policies, there is a positive statistical difference in the service monitoring which resulted in more than a 5% change. The policy requires an acknowledgement of all disparate impacts in the levels of service BART provides to minority communities, even if they are statistically positive. All lines received scheduled service which matched BART's Peak and Off-Peak Headway standards. Passenger loading on minority lines relative to non-minority lines are lower during weekdays and weekends. While train lengths are shorter on minority lines compared to non-minority lines, both weekday and weekend service provide more service per passenger to minority lines as shown by the greater negative percent difference in passengers per service than base train length between minority and non-minority service.

#### *Title VI Policies:*

There are no new policies proposed for the following three years, 2026-2029.

Prior policies were developed for each of the following service indicators: i) Distribution of Transit Amenities and ii) Vehicle Assignment to address how service is distributed across the BART system. Previously, the Board approved BART's Title VI Service Standards and Policies on January 9, 2014. The Prior Service Standards and Policies include:

- Vehicle Load: Increasing Peak Load level from 100 passengers per car (PPC) to 115 PPC and Off Peak from 63 PPC to 80 PPC.
- On-time Performance: Amending the Train On-Time performance goal (set in the current operating budget) to 94% and Customer On-Time performance goal to 96%.

#### *Environmental Justice:*

At the Board's request, staff reviewed service monitoring results for low-income populations and found mitigatable disproportionate burden in the levels of service BART provides to low-income communities.

#### *Community Input:*

To seek input on this report, contents of the 2025 Title VI Triennial Program Update were shared with BART's Limited English Proficient (LEP) and Title VI & Environmental Justice

Advisory Committee at its joint December 19, 2025 meeting. Additionally, the program was shared with BART's Accessibility Task Force to seek input and review the Title VI complaint protections afforded that community. The Committees provided comments and asked follow-up questions but concurred with the contents of the Program.

Staff seeks Board approval of the 2025 Title VI Civil Rights Triennial Program Update. A complete copy has been made available to the Board for review.

**FISCAL IMPACT:**

Approving the Title VI Civil Rights Program 2025 Triennial Update would allow the District to maintain its eligibility for federal funding.

**ALTERNATIVES:**

Do not approve the Title VI Civil Rights Program 2025 Triennial Update, resulting in the District being non-complaint with Title VI of the Civil Rights Act of 1964 and its related regulations and potential loss of federal funding.

**RECOMMENDATION:**

Approval of the following motion.

**MOTION:**

The Board of Directors approve the District's Title VI Civil Rights Program 2025 Triennial Update.

