



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>8 JUL 2018</i> <i>R. M. P.</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 6/5/2018		BOARD INITIATED ITEM: No		
Originator/Prepared by: Jennella Sambour-Wallace Dept: Office of Civil Rights Signature/Date: <i>J M</i> 6/6/18	General Counsel <i>[Signature]</i> 6/6/18 []	Controller/Treasurer <i>[Signature]</i> 6/6/18 []	District Secretary []	BARC <i>[Signature]</i> 6/6/18 []

Title VI Fare Equity Analysis for Discontinuing the BART Discounted Orange Ticket Program for Students at Participating Middle and High Schools

PURPOSE:

To request the Board to approve the "Title VI Fare Equity Analysis for Discontinuing the BART Discounted Orange Ticket Program for Students at Participating Middle and High Schools."

DISCUSSION:

To ensure compliance with federal and state civil rights regulations, BART performs an analysis of any fare change, in this case discontinuing the discounted Orange ticket, to determine if the change has a disparate impact on minority riders or a disproportionate burden on low-income riders.

The Orange ticket is sold to students at participating middle and high schools at a 50% discount; students pay \$16 and receive a ticket valued at \$32. The Orange Ticket Program was implemented in the late 1990s to provide students a discount on school-related trips taken on Monday through Friday only. Currently, 147 schools participate in the program.

Analysis Results

The Federal Transit Administration (FTA) requires a transit agency to use ridership survey data when evaluating whether a fare change has adverse effects on low-income and minority populations. Staff circulated a survey between February 20, 2018 through April 6, 2018 for parents of students that use the Orange ticket. The survey was offered in English, Spanish, and Chinese. Additional language support services were offered in Korean, Tagalog, and

Vietnamese and all surveys were completed online.

Fifty-nine parents of students who use the Orange ticket responded to the survey. The table below shows the demographic results from this survey compared to BART's overall ridership (data from the 2016 Customer Satisfaction Survey). This analysis finds that the discontinuance of the Orange ticket could disproportionately impact minority and low-income riders, as Orange ticket users are disproportionately more minority and low-income compared to BART's overall ridership, exceeding BART's Disparate Impact/Disproportionate Burden Policy threshold of 10%.

	<i>Minority</i>	<i>Non-Minority</i>	<i>Total</i>	<i>Sample Size</i>	<i>Low Income</i>	<i>Non-Low Income</i>	<i>Total</i>	<i>Sample Size</i>
<i>All Riders</i>	63.3%	36.7%	100.0%	5,211	26.4%	73.6%	100.0%	4,880
<i>Orange Ticket Riders</i>	77.6%	22.4%	100.0%	58	38.0%	62.0%	100.0%	50
<i>Difference from All Riders</i>	14.3%				11.6%			

FTA Circular 4702.1B "Title VI Requirements and Guidelines for FTA Recipients" (Circular) requires transit providers to analyze measures to minimize or mitigate potential disparate impacts resulting from proposed fare changes and to provide meaningful opportunity for public comment on such measures. The report concludes that existing fare product alternatives--the discount Youth Clipper card and Red youth magnetic stripe ticket--serve to avoid, minimize, or mitigate any adverse effects of the Orange Ticket Program termination.

These fare products offer better or similar fares and enhanced benefits, particularly in the case of the free-of-charge youth discount Clipper card. The table below provides a comparison of the fare media:

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<i>Youth Fare Medium Alternative</i>	<i>Discount</i>	<i>Surcharge per Trip</i>	<i>Use Limitations</i>	<i>How to Obtain</i>	<i>Additional Benefits</i>
<i>Youth Clipper Card</i>	50%	No	None--good any time or day and for any purpose	At 3 Clipper Customer Service Centers; at more than 20 locations through Clipper partner transit agencies; via mail, e-mail, or fax (proof of eligibility required)	Youth Clipper card is free of charge. If card lost or stolen, new card can be obtained and card balance of funds restored. Value can be loaded at any BART ticket vending machine using cash, credit, or debit card; autoload also available.
<i>Youth Red Mag-Stripe Ticket</i>	50%	Yes (25 cents)	None--good any time or day and for any purpose	Via mail or at BART Customer Services Center, Lake Merritt Station	--
<i>Orange Ticket</i>	50%	Yes (25 cents)	Only for school- related purposes, travel Monday through Friday	Sold only at participating schools	--

Public Outreach

As part of the Title VI assessment, BART undertook public outreach to receive input on the Orange ticket elimination from low-income, minority, and Limited English Proficient (LEP) populations, in accordance with BART's Public Participation Plan, completed in May 2010 and revised in July 2011, and the Circular.

The survey included a question on how elimination of the Orange ticket would impact the respondent's household. An analysis of the responses by protected populations shows that 46.7% of the 45 minority respondents either supported or did not comment on the elimination of the Orange ticket, while 53.3% did not support the proposal. Of the 19 low-income respondents, 47.4% either supported or had no comment, and 52.6% were not in support. Not commenting on a proposal can indicate neutrality or potentially some level of acceptance of it. Review of the comments shows that many people misunderstood how the youth discount Clipper card actually works, including that it automatically gives a 50% discount to youth on BART.

Members of BART's Title VI/Environmental Justice Advisory Committee and Limited English Proficiency Advisory Committee provided input at meetings in April and May 2018. Members were supportive of eliminating the Orange ticket fare media and program.

Equity Finding

An equity finding is made after considering both the fare change analysis results and public comment received. This report concludes that the termination of the Orange Ticket Program will not result in a disparate impact or disproportionate burden on minority riders or low-income riders, respectively, since the existing youth discount Clipper card and Red magnetic stripe youth ticket offer better or similar fares and enhanced benefits, particularly the youth discount Clipper card, compared to the Orange ticket.

FISCAL IMPACT:

Discontinuing the Orange Ticket Program will result in a one-time savings for the District of up to approximately \$10,000 in material and ticket stock costs.

ALTERNATIVES:

Do not approve or defer approval of the Title VI Fare Equity Analysis.

RECOMMENDATION:

Approval of the following Motion.

MOTION:

Approve the attached "Title VI Fare Equity Analysis for Discontinuing the BART

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