

NORTH COUNTY TRANSIT

SAN DIEGO RAILROAD

Board Policy No. 31 **Threshold for Disparate Impact on Minority Populations**

Summary

This policy sets forth North County Transit – San Diego Railroad (NCTD) threshold for disparate impact¹ on minority populations.

Background

The requirement of this policy comes from the Federal Transit Administration (FTA) Circular 4702.1B, “Title VI Requirements and Guidelines for Federal Transit Administration Recipients,” which became effective October 1, 2012. The Circular requires any FTA recipient that operates 50 or more fixed-route vehicles in peak service and serves a population of 200,000 or greater to evaluate any fare change and any major service change at the planning and programming stages to determine whether those changes have a disparate impact on minority populations.

Purpose

The purpose of this policy is to establish a threshold which identifies when adverse effects of a major service change or any fare change are borne disproportionately by minority populations.

The purpose of this policy is to:

1. Establish a threshold for disparate impact on minority populations in the event of a major service or fare change, and
2. Identify the agency’s corresponding process and actions to address the occurrence of disparate impact.

Threshold

A disparate impact occurs when the minority population adversely affected by a major service change as defined under NCTD Board Policy No. 30 is 10% or more than the average minority population of the NCTD service area. A disparate impact may also occur when the non-minority population benefits from a major service change by 10% or more than the average minority population of the NCTD service area.

Disparate impacts on routes with either span of service changes and/or frequency changes will be determined by analyzing all routes with such changes together. Disparate impacts on routes with segment elimination, re-routing, or route elimination will be determined on a route by route basis.

¹ On the basis of race, color, or national origin.

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NCTD Process

If a potential disparate impact is identified, NCTD must:

1. Have a substantial legitimate justification for making the proposed service change; and
2. Show that there are no alternatives that would have a less disparate impact on minority riders but would still accomplish NCTD's legitimate program goals.

In the event a disparate impact is identified, NCTD will engage public participation to describe alternatives or mitigation measures to lessen the disparate impact on minority populations. If NCTD modifies the proposed changes in order to avoid, minimize, or mitigate potential disparate impacts, NCTD shall reanalyze the proposed changes in order to determine whether the modifications actually removed the potential disparate impacts of the changes.

To conduct a service equity analysis for minority populations, NCTD shall use the most recent 5-year estimate table for *Hispanic or Latino Origin by Race* from the American Community Survey (ACS). This table properly accounts for all persons who identify with any race and those who additionally identify as having a Hispanic or Latino origin. This is consistent with the FTA definition of minority persons. NCTD will consider using the most recent SANDAG Regional On-Board Transit Survey for the comparison population if the survey is statistically valid at the route level.

Approvals



Board Chair

10/23/2025

Date



Chief Executive Officer

10/23/2025

Date



Deputy Chief Executive Officer/
Chief General Counsel

10/23/2025

Date

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DATE	REVISION NO.	RESOLUTION NO.	COMMENTS
11/21/2013	ADOPTED	13-07	
10/16/2014	1	14-04	2014 REVISION
11/19/2015	2	15-08	2015 REVISION
10/19/2017	3	17-10	2017 REVISION
10/17/2019	4	19-06	2019 REVISION
10/21/2021	5	21-05	2021 REVISION
10/17/2024	6	24-08	2024 REVISION: UPDATES TO POSITION TITLES
10/23/2025	7	25-06	2025 REVISION: UPDATES TO LOGO AND POSITION TITLES