

Metropolitan Council
Title VI Disparate Impact and Disproportionate Burden Policy
Effective June 2013

The Metropolitan Council will use the “four-fifth’s” rule as the threshold to determine if a proposed fare change, major service change or triennial monitoring review of system-wide standards and policies shows evidence of potential for disparate impact or disproportionate burden. The “four-fifth’s” rule measures when 1) adverse impacts are borne disproportionately by minority or low-income populations and 2) benefits are not equitably shared by minority or low-income populations.

The “four-fifth’s” rule states that there could be evidence of disparate impact or disproportionate burden if:

- Benefits are being provided to minority or low-income populations at a rate less than 80% (four-fifths) than the benefits being provided to non-minority or non-low-income populations
- Adverse effects are being borne by non-minority or non-low-income populations at a rate less than 80% (four-fifths) than the adverse effects being borne by minority or low-income populations

If a potential disparate impact for minority populations is found, the FTA requires recipients to analyze alternatives. A provider may modify the proposed change to avoid, minimize or mitigate potential disparate impacts. A transit provider may proceed with the proposed change if there is substantial legitimate justification and no legitimate alternatives exist with a less disparate impact that still accomplish the provider’s legitimate program goals.

If potential disproportionate burden on low-income populations is found, the FTA requires recipients to take steps to avoid, minimize or mitigate impacts where practicable.