

Exhibit A

Title VI Plan

Confederated Tribes of the Warm Springs Reservation

Planning Department

Public Transit Program

July, 2016

Title VI Plan

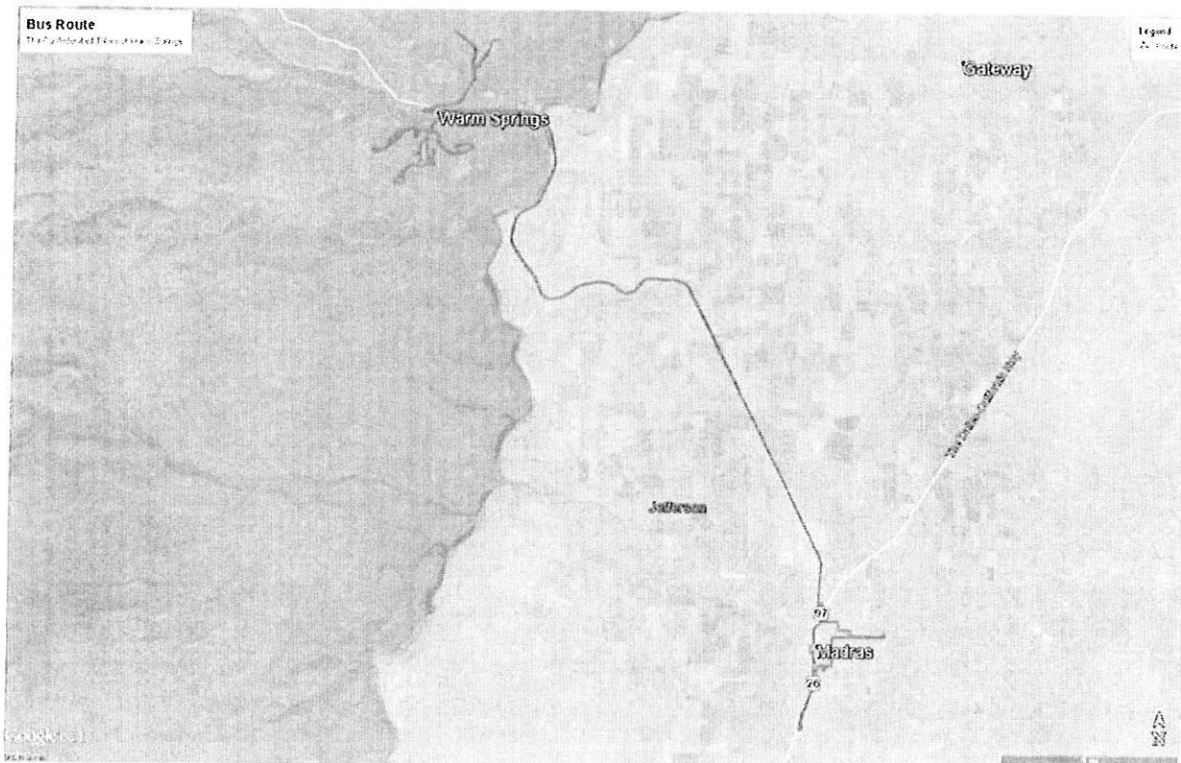
FTA Circular 4702.1B Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients.

History

The CTWS Planning Department developed this Title VI Plan and implementing protections in 2016.

Service and Service Area

In partnership with the Central Oregon Intergovernmental Council (COIC) d.b.a. Cascade East Transit, The CTWS Public Transit Program provides fixed route and commuter route transportation with stops in Warm springs and Madras.



Service Standards Policy

Vehicles are equipped with air conditioning, heating, and drivers vocally announce each stop they make along the scheduled routes.

Purpose

This policy establishes guidelines to effectively monitor that the Confederated Tribes of the Warm Springs Indian Reservation Transit Program (Transit Program) is in compliance with all FTA Title VI requirements and regulations in order to carry out the provisions of the Department of Transportation's (DOT) Title VI Regulations at 49 CFR Part 21 and to integrate considerations expressed in the DOT's Policy Guidance

Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005).

Policy

This policy will ensure that its programs and activities comply with the Department of Transportation's (DOT) Title VI regulations. The Transit Program is committed to maintaining a transit service that is free of all forms of discrimination. The Transit Program Manager will take whatever preventive, corrective and disciplinary action is necessary to deter and correct violations of this policy and the rights and privileges it is designed to protect.

Organization

The CTWS Planning Department Manager is the Title VI Program Manager, responsible for implementing all aspects of the Title VI Program. Once approved by Tribal Council resolution and concurred by the FTA, the revised Title VI Program will be will be circulated throughout the Transit Program and a copy of the complete Title VI Program will be available in the Planning Department office and on the office website.

Annual Title VI Certification and Assurance

To ensure accordance with 49 CFR Section 21.7, every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI of the Civil Rights Act of 1964. This requirement shall be fulfilled when the applicant submits its annual certifications and assurances to FTA. The text of FTA's annual certifications and assurances is available on FTA's Web site. The Public Transit Program complies with this instruction annually in order to receive FTA funding. **The CTWS Transit Program prohibits discrimination in its employment practices on the basis of race, color, national origin, sex, religion, age, disability, sexual orientation, parental status, and genetic information". See Attachment A, Title VI Policy Statement.**

Subrecipients

Central Oregon Intergovernmental Council d.b.a CET.

Equity Analysis to Determine Site or Location of Facilities

The CTWS Transit Program is not required to submit an equity analysis because it has not conducted any projects requiring land acquisition and the displacement of persons from their residences and businesses *for which a NEPA process has not been completed*. "Facilities" does not include bus shelters, transit stations, or power substations. (Title VI Chapter III, 13).

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR 21); 42 United

States Code 2000d to 2000-4; Executive Order 12898.

Notification of beneficiaries of protection under Title VI.

In order to comply with 49 CFR Section 21.9(d), recipients shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Recipients that provide transit service shall disseminate this information to the public through measures that can include but shall not be limited to a posting on the agency's website. The Transit Program has information to this effect posted on all buses. ***See Attachment B, Title VI Public Notice.***

Title VI Public Participation Plan.

FTA Circular 4702.1B requires that recipients maintain a public participation plan that includes an outreach plan to engage minority and limited English proficient populations. Notice of public meetings will be given to the local newspaper and radio station for print and broadcast with information that includes the meeting time and venue. Notice will also be posted in operating Transit Program vehicles.

Provision for meaningful access to Limited English Proficient (LEP) persons.

Presidential Executive Order 13166 addresses services to those individuals with LEP. The Transit Program is required to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of our programs and activities of individuals who are LEP.

Providing language assistance services is generally required where an LEP population equals 5 percent or more in a given population. 7.7% of the Jefferson County population are LEP and speak Spanish.

(Migration Policy Institute tabulations from the US Census Bureau's pooled 2009-2011 American Community Survey (for the United States and states, except Wyoming and Puerto Rico) and 2007-2011 ACS (for counties, plus Wyoming and Puerto Rico), Table B16001 "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over," available through American FactFinder at

<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>.

Data were compiled by Joseph Russell, Jeanne Batalova, and Chhandasi Pandya of MPI.)

Through its contract with CET, the Transit Program adopts, monitors and implements the CET Title VI program section IV Language Assistance Plan.

Nondiscrimination Complaint Procedures

The Title VI Program Manager will maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by entities other than FTA

- Lawsuits
- Complaints naming the recipient

The list will include:

- The date that the investigation, lawsuit, or complaint was filed
- A summary of the allegation(s);
- The status of the investigation, lawsuit, or complaint
- Actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint

This list will be included in periodic Title VI Program reports submitted to the FTA. A form will be available to complainants for collecting complaint information. **See Attachment C, Title VI Complaint Form.**

Record Keeping of Title VI investigations, complaints and lawsuits.

In order to comply with 49 CFR Section 21.9(b), recipients shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming the recipient that allege discrimination on the basis of race, color, or national origin. This list shall include the date of the investigation, lawsuit or complaint filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response to the investigation, lawsuit, or complaint. Future reports will follow FTA suggested format. **See Attachment D, Form To Use In Reporting Transit-Related Title VI Investigations, Complaints, and Lawsuits.**

Subrecipient Compliance

Title VI compliance reviews will be documented with FTA approved remedial actions and will be completed within 90 days of the start of the review process. The Transit Program Manager will seek cooperation of subrecipients in correcting deficiencies, and provide technical assistance and guidance for subrecipient's compliance. Subrecipients will be given 90 days after receipt of the deficiency letter to correct identified deficiencies. Failure of subrecipients to voluntarily comply with requirements within the time frame provided will result in submission of the case file to the FTA and FHWA with a recommendation that the subrecipient be found in noncompliance. A follow-up review will be conducted within 180 days of the initial review to ensure that the subrecipient has corrected the previously identified deficiencies. If the subrecipient does not comply, sanctions, per 49 CFR, may be initiated.

Service Standards for Fixed Route Transit.

Vehicle Load

(A ratio of the number of passengers allowed at one time to the number of seats on a

vehicle, relative to the vehicle's maximum load point.

The Maximum Load Factor, measured as a percent of a fully seated load, varies with service type. Load Factors for the Warm Springs Community Connector service type is shown in the following table.

Table 1: load factors by service types

Service type	Peak	Off-peak
Community connector	120%	100%

To ensure service quality, any service consistently operating at more than 100% of its seating capacity (load factor) will be evaluated to reduce overcrowding.

Vehicle Headway

(The amount of time between two vehicles traveling in the same direction on a given line or combination of lines.)

Specific routes vary depending on the drive time between specific communities. The number of runs per day on a route are determined by historical ridership, planning, budget considerations.

On-time Performance

This indicator is measured separately against published schedules and actual bus departure times at designated bus stops or time points throughout each route. If a bus departs not more than five minutes late, or one minute early, at each scheduled time point/stop, it is considered "on time". Arrival times are monitored by Automatic Vehicle Location (AVL) systems which use Global Positioning System (GPS) technology.

Table 2: On Time Performance Standards

Service type	Minimum	Goal
Community connector	90%	95%

Service Availability

(A general measure of the distribution of routes within an agency's service area)

The Transit Program distributes its commuter services to Warm Springs and Madras. Multiple stops are made in both towns. The fixed route system makes several stops in Warm Springs and Madras and deviates upon request. The type and scope of transit service is adjusted periodically after reviewing historical ridership, planning and budget

considerations. Currently, services are delineated in a purchase service agreement with COIC. The Transit Program determines service routes, frequency, span and coverages areas for CET.

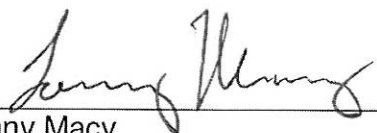
Provision of additional information upon request.

At the discretion of the FTA, information other than that required by the referenced circular may be requested, in writing, from a recipient in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements. The Program Manager will be available to provide additional information as needed and to respond to any inquiry.

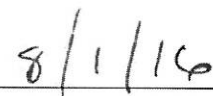
Preparation and submission of the Title VI Compliance Program.

FTA requires recipients to report certain general information to determine their compliance with Title VI. The collection and reporting of this program constitute the recipients' Title VI Program. To ensure compliance with 49 CFR Section 21.9(b), FTA requires that all recipients document their compliance with this chapter by submitting a Title VI Plan to FTA's regional civil rights officer once every three years. The Public Transit Program will review and provide an updated Title VI Plan every three years as required.

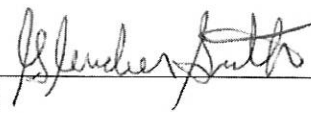
This Title VI Plan was reviewed and approved by the Secretary Treasurer and Title VI Coordinator for the Confederated Tribes of the Warm Springs Indian Reservation:



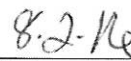
Lonny Macy
Title VI Program Manager
Confederated Tribes of Warm Springs



Date



Glendon Smith
Secretary-Treasurer
Confederated Tribes of Warm Springs



Date

Title VI Plan Attachments

Attachment A

Title VI Policy Statement

Title VI of the Civil Rights Act of 1964 states:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

The CTWS Public Transit Program is committed to complying with the requirements of Title VI, in all of its programs and activities, and will not permit any discrimination in its public service and accommodations, based on race, color, sex, national origin, or any other protected classification.

Lonny Macy
CTWS Public Transit Program Manager

Attachment B

Title VI Public Notice

(Posted at Public Transit Center and on all Public Transit Vehicles)

YOUR RIGHTS UNDER TITLE VI

THE CONFEDERATED TRIBES OF THE WARM SPRINGS INDIAN RESERVATION

- The Confederated Tribes operates its Transit Program and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Confederated Tribes' Planning Department.
- For more information on the Confederated Tribes' Title VI Plan and the procedures to file a complaint, contact the The CTWS Planning Department, Transit Program Manager at 541-553-1161; or visit the Planning Department at 1233 Veterans Way, Warm Springs, OR 97761. For more information visit: <https://warmsprings-nsn.gov/program/planning-department/>
- You may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
- The Transit Program currently contracts with Cascades East Transit to provide language translation services.
- If information is needed in another language, contact the Cascades East Transit at 541-385-8680. Si se necesita información en otro idioma, comuníquese con el Departamento de Planificación al 541-385-8680.

Attachment C
Title VI Complaint Form

Use this form to file any Title VI Complaint with the CTWS Public Transit Program.

Section I:					
Name:					
Address:					
Telephone (Home):			Telephone (Work):		
Electronic Mail Address:					
Accessible	Format	Large Print		Audio Tape	
Requirements?		TDD		Other	
Section II:					
Are you filing this complaint on your own behalf?			Yes*	No	
*If you answered "yes" to this question, go to Section III.					
If not, please supply the name and relationship of the person for whom you are complaining:					
Please explain why you have filed for a third party: _____					
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No	
Section III:					
I believe the discrimination I experienced was based on (check all that apply):					
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin					
Date of Alleged Discrimination (Month, Day, Year): _____					
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.					

Section IV					
Have you previously filed a Title VI complaint with this agency?			Yes	No	
Section V					
Have you filed this complaint with any other Tribal, Federal, State, or local agency, or with any Tribal, Federal or State court?					
<input type="checkbox"/> Yes <input type="checkbox"/> No					
If yes, check all that apply:					
<input type="checkbox"/> Tribal Court _____		<input type="checkbox"/> Tribal Agency _____			
<input type="checkbox"/> Federal Agency: _____					
<input type="checkbox"/> Federal Court _____		<input type="checkbox"/> State Agency _____			

<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name:	
Title:	
Agency:	
Address:	
Telephone:	
Section VI	
Name of agency complaint is against:	
Contact person:	
Title:	
Telephone number:	

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Signature _____ Date _____

Please submit this form in person at the address below, or mail this form to:

CTWS Planning Department Attn: Title VI Program Manager
 Confederated Tribes of the Warm Springs Indian Reservation
 1233 Veterans Street
 Warm Springs, OR 97761

Utilice este formulario para presentar cualquier queja del Título VI de la Gerencia de Urbanismo CTWS.

SECCIÓN I

Nombre _____

Dirección: _____

Teléfono (Casa): _____

Teléfono (trabajo): _____

Dirección de correo electrónico: _____

Requisitos formato accesible?

☐ en letra grande

☐ Cinta de Audio

☐ TDD

☐ Otras _____

SECCIÓN II

¿Está presentando esta queja en su nombre?

☐ Si

☐ No

* Si usted contestó "sí" a esta pregunta, ve a la sección III.

Si no es así, por favor proporcione el nombre y la relación de la persona a la que usted se queja: _____

Por favor, explique por qué se han declarado en un tercero: _____

Por favor, confirme que ha obtenido el permiso de la parte perjudicada, si usted está presentando en nombre de un tercero.

☐ Si

☐ No

SECCIÓN III

Creo que la discriminación que experimenté fue basado en (marque todo lo que corresponda):

☐ Raza ☐ Color ☐ Origen Nacional

Fecha de la supuesta discriminación (Mes, Día, Año): _____

Explique lo más claramente posible lo que pasó y por qué usted cree que fue discriminado. Describir todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de la persona (s) que le discriminó (si se conoce), así como los nombres e información de contacto de cualquier testigo. Si necesita más espacio, por favor use el reverso de este formulario.

Sección IV

¿Ha presentado anteriormente una queja del Título VI con esta agencia?

☐ Si

☐ No

Sección V

¿Ha presentado esta queja ante cualquier otro tribal, federal, estatal, o local, o con cualquier tribunal tribal, federal o estatal?

☐ Sí ☐ No

En caso afirmativo, marque lo que corresponda:

☐ Corte Tribal _____

☐ Agencia Tribal _____

☐ Agencia Federal: _____

☐ Tribunal Federal _____

☐ Agencia Estatal _____

<div style="display: flex; justify-content: space-between;"> [] Corte del Estado [] Agencia Local </div>
Sírvanse proporcionar información acerca de una persona de contacto en la corte agencia / donde se presentó la queja.
Nombre
Título:
Agencia:
Dirección:
Teléfono:
Sección VI
Nombre de la agencia queja es contra:
Persona de contacto:
Título:
Número de teléfono:

Puede adjuntar cualquier material escrito o cualquier otra información que usted considere relevante para su queja.

Firma y fecha requerida por debajo de

Firma

Fecha

Por favor envíe este formulario en persona en la dirección indicada más abajo, o envíe por correo este formulario a:

Planning Department Attn: Planning Manager
Confederated Tribes of the Warm Springs Indian Reservation
1233 Veterans Way
Warm Springs, OR 97761

Attachment D

Form to use in reporting transit-related Title VI investigations, complaints, and lawsuits

CTWS Public Transit will maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list must include the date that the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the WST in response, or final findings related to the investigation, lawsuit, or complaint. This list must be included in the Title VI Program submitted to FTA every three years.

For this purpose, WST will use the following form when submitting its 3 year report.

List of Investigations, Lawsuits and Complaints

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				