



COTTONWOOD
I N C O R P O R A T E D

Title VI Plan

ü **Title VI Notice to the Public**

This notice is posted in the lobby of Cottonwood, Inc. and on the agency's website at <http://www.cwood.org>.

ü **Title VI Complaint Procedures**

Instructions to the public on how to file a Title VI discrimination complaint.

ü **Title VI Complaint Form**

ü **List of transit-related Title VI investigations, complaints and lawsuits**

ü **Public Participation Plan**

ü **Language Assistance Plan**

ü **A table depicting the demographics of Board and Staff**

ü **A copy of Board meeting minutes showing the Board has reviewed and approved the Title VI Program for Cottonwood, Inc. Transportation Program. (T/C)**

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2801 west 31st Street □ Lawrence, Kansas 66047 □ (785) 842-0550
www.cwood.org

Notifying the Public of Rights Under Title VI

Cottonwood, Inc.

- Cottonwood, Inc. operates its transportation programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Cottonwood, Inc.
- For more information on Cottonwood, Inc.'s Title VI Transportation Plan and the procedures to file a complaint, contact Cottonwood's Corporate Compliance Officer at 785/842-0550; or visit our administrative office at 2801 West 31st Street, Lawrence, KS 66047. For more information, visit www.cwood.org.
- A complainant 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
- If information is needed in another language, contact the main office at 785/842-0550.

This notice is posted in the administrative offices of Cottonwood, Inc. and on the agency website at www.cwood.org. If information is needed in another language, contact 785/842-0550.



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Title VI Complaint Form - The purpose of this form is to assist you in filing a complaint with Cottonwood, Inc. This form is not required; a letter containing the same information will be sufficient.

Section I:			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Electronic Mail Address:			
Accessible Format Requirements?	Large Print		Audio Tape
	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 attach additional pages.			



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 Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, check all that apply:		
<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 _____



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

Cottonwood, Inc.
2801 West 31st Street
Lawrence, KS 66047
ATTN: Corporate Compliance Officer

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www.cwood.org



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List of Title VI Investigations, Lawsuits and Complaints

	Date Submitted/Filed (Month, Day Year)	Summary of allegation (include basis of complaint: race, color or national origin)	Status	Resolution/Action Taken
Investigations				
1				
2				
Lawsuits				
1				
2				
Complaints				
1				
2				

No complaints filed.



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Title VI Complaint Procedure

The following pertains only to Title VI complaints regarding the transportation services of **Cottonwood, Inc.**

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement that:

No person in the United States shall, on the ground 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.

Cottonwood, Inc. has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter III of the Federal Transit Administration Circular 4702.1B, dated October 1, 2012. If you believe that Cottonwood, Inc.'s federally funded transportation programs have discriminated your civil rights on the basis of race, color, or national origin you may file a written complaint by following the procedure outlined below:

1. Submission of Complaint.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by Cottonwood, Inc., in the course of transportation services, may file a written complaint with Cottonwood, Inc.'s Corporate Compliance Officer. A sample complaint form is available for download at www.cwood.org and is available in hard copy at the offices of Cottonwood, Inc. Upon request, Cottonwood, Inc. will mail the complaint form. **Such complaints must be filed within 180 calendar days after the date the discrimination occurred.**

Notes: Assistance in the preparation of any complaints will be provided to a person or persons upon request and as appropriate. If information is needed in another language, then contact the main office at (785) 842-0550.

Complaints should be mailed to or submitted by hand to:

**Cottonwood, Inc.
2801 West 31st Street
Lawrence, KS 66047
ATTN: Corporate Compliance Officer**

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2. Review by Corporate Compliance Officer

Upon receipt of the complaint, the **Corporate Compliance Officer of Cottonwood, Inc.**, will evaluate and investigate the complaint. If necessary, the Complainant shall meet with the Corporate Compliance Officer to further explain his or her complaint. The Corporate Compliance Officer shall complete the review no later than 45 calendar days after the date the agency received the complaint. If more time is required, the Corporate Compliance Officer shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, the Corporate Compliance Officer shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the Corporate Compliance Officer may recommend improvements to Cottonwood, Inc.'s processes relative to Title VI, as appropriate. The Corporate Compliance Officer shall forward the recommendations to the, CEO for concurrence. If the CEO concurs, he or she shall issue the Cottonwood, Inc.'s written response to the Complainant. This final report should include a summary of the investigation, all findings with recommendations, and corrective measures where appropriate.

Note: Upon receipt of a complaint, Cottonwood, Inc. shall forward a copy of this complaint and the resulting written response to the appropriate KDOT and FTA and Region 7 contacts.

3. Request for Reconsideration

If the Complainant disagrees with the CEO's response, he or she may request reconsideration by submitting the request, in writing, to the CEO within 10 calendar days after receipt of the CEO's response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the CEO. The CEO will notify the Complainant of his or her decision in writing either to accept or reject the request for reconsideration within 10 calendar days. In cases where the CEO agrees to reconsider, the matter shall be returned to the Corporate Compliance Officer to reevaluate in accordance with Paragraph 2 above.

4. Appeal

If the request for reconsideration is denied, the Complainant may appeal the CEO's response by submitting a written appeal to The **Cottonwood, Inc. Board of Trustees** no later than 10 calendar days after receipt of the CEO's written decision rejecting reconsideration. The Cottonwood, Inc. Board of Trustees will then make a determination to either request re-evaluation by the Corporate Compliance Officer or forward the complaint to KDOT for further investigation.



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5. Submission of Complaint to the State of Kansas Department of Transportation.

If the Complainant is dissatisfied with Cottonwood Inc.'s resolution of the complaint, he or she may also submit a written complaint within 180 days after the alleged date of discrimination to the State of Kansas Department of Transportation for further investigation.

**KDOT Office of Contract Compliance
Eisenhower State Office Building
700 Southwest Harrison
3rd Floor West
Topeka, KS 66603**

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Cottonwood, Inc.
Public Participation Plan Outline

1. Brief description of provider's activities and services

Cottonwood, Inc. has been providing transportation to adults with Intellectual and Developmental Disabilities for more than 50 years. We provide Residential, Vocational, Recreational, Medical, Nutritional and Personal rides within Douglas County.

2. Brief description of activities that would warrant public participation (i.e. fare changes, changes to service hours, route adjustments, service area changes).

Cottonwood, Inc. would notify the ridership of any fare changes, service hour changes, fixed route adjustments, and policy or procedure changes to transportation.

3. Brief description of the proactive public participation strategies would be used.

All ridership notifications would be planned as follows:

- *Ridership meetings to be held at convenient times and accessible locations*
- *A database of contacts to include: Consumers, Guardians and Family Representatives*
- *Direct mailings to Consumers, Guardians and Family Representatives.*

Cottonwood, Inc. is a private not-for-profit company that provides services for adults with intellectual / developmental disabilities. Our mission is, "We help individuals with disabilities shape their own future." Our website, www.cwood.org, has information on how to access services and translations are available upon request for materials, also translators are provided when needed.

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4. Brief description of the desired outcomes of the Cottonwood Inc.'s stakeholder participation efforts.

- *Cottonwood, Inc. desires to have actively engaged ridership, stakeholders and members of the Cottonwood, Inc. Board of Trustees in the decision making process.*
- *Cottonwood, Inc. strives to have given adequate notice of ridership participation activities and allowed proper time for review and comment at key decision points.*
- *Cottonwood, Inc. desires to provide timely information about transportation issues and processes to transit riders and stakeholders.*
- *Cottonwood, Inc. will provide responses to all input as appropriate.*
- *Cottonwood, Inc. will have facilitated effective communication among a diverse group of stakeholders.*

5. Brief summary of recent outreach efforts over the past three years.

Cottonwood, Inc. offers annual satisfaction surveys to our past and present ridership departmentally, and acts upon the concerns shown in the survey responses. Additionally, Cottonwood, Inc. reviews and updates our Accessibility Plan annually including accessibility to transportation.



COTTONWOOD INCORPORATED

Language Assistance Plan Limited English Proficiency Plan (LEP) Preview

The purpose of developing an LEP is to identify the extent of LEP individuals and identify ways that the transit agency can reduce or eliminate barriers to LEP individuals.

Four Factor Analysis

- 1) **Identify the number of or proportion of LEP individuals that can utilize the service provided by Cottonwood, Inc.** The American Community Survey 2023 ACS 5-year estimates were used to produce the Metropolitan Planning Organization of Lawrence - Douglas County data, we find that there are no language groups that fit the criteria of more than 0.5% of total population and/or more than 50 persons who “speak English less than very well. Currently, we do not serve any individuals that fit the LEP criteria. If that were to change, we would rely on an interpreter to assist with communication and scheduling rides for those individuals.
- 2) **Identify the frequency in which LEP individuals come in contact with the service.** There are no language groups in our area that currently qualify as a LEP group.
- 3) **Identify the importance of the service to the LEP community.** We provide transportation for residential, vocational, recreational, medical, nutritional and personal trips to adults with I/DD in the Douglas County community, who also receive another service from Cottonwood, Inc. Currently, we do not serve any individuals that fit the LEP criteria. If that were to change, we would rely on an interpreter to assist with communication and scheduling rides for those individuals.
- 4) **Language assistance will be available upon request.** An interpreter to assist with communication and scheduling rides for those individuals will be provide upon request. We would use online translation tools, Braille services, sign language interpreters as well as contacting the Language Departments at the University of Kansas to assist with any language barriers we would encounter.

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Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American	Other
Population within service area Douglas and Jefferson Counties	83.4% Douglas	6.4% Douglas	4.7% Douglas	5% Douglas	2.7% Douglas	4.2% Douglas
	95.9% Jefferson	2.9% Jefferson	0.8% Jefferson	0.3% Jefferson	1.0% Jefferson	2.0% Jefferson
Agency Board of Trustees	95%	0%	5%	0%	0%	0%
Council of Community Members	79%	7%	14%	0%	0%	0%
Consumer Committee	82%	0%	18%	0%	0%	0%

Cottonwood, Inc. Board of Trustees Resolution

Recommended Action

It is recommended that the Board of Trustees adopt the Cottonwood, Inc. Title VI Plan to comply with federal laws, regulations and guidelines related to Title VI of the Civil Rights Act of 1964. (See Cottonwood, Inc. Title VI Plan, established 2013)

Background

Pursuant to Section 12 of the Federal Transit Administration (FTA) Master Agreement, Cottonwood, Inc. must comply with 49 CFR part 21 and FTA Circular 4702, 1B, which effectuates Title VI of the Civil Right Act of 1964 (Title VI), as a condition of federal financial assistance. Title VI prohibits discrimination on the basis of race, color and national origin from recipients of federal financial assistance (grants, loans, etc.).

Discussion

The Title VI Plan details the manner in which Cottonwood, Inc. intends to achieve compliance with the following objectives of Title VI of the Civil Rights Act of 1964:

1. To ensure that Cottonwood, Inc. transportation services are made available and are equitably distributed without regard to race, color or national origin;
2. To ensure that the level and quality of Cottonwood, Inc. transportation services are sufficient to provide equal access and mobility for any person without regard to race, color or national origin.
3. To ensure that opportunities to participate in the transportation planning and decision-making are provided to persons without regard to race, color or national origin.
4. To ensure that decisions on the location of transportation services and facilities are made without regard to race, color or national origin; and
5. To ensure that corrective and remedial action is taken to prevent disparate impacts borne by any beneficiary based on race, color or national origin.

Financial Impact

The adoption of the Title VI Plan does not result in any direct or foreseeable financial impacts.

Adopted by the Cottonwood, Inc. Board of Trustees on August 26, 2025.

Shirley Martin-Smith, Inc. Board President
Board Officer – Signature & Title

Colleen Himmelberg
Cottonwood, Inc. CEO Signature



**COTTONWOOD, INCORPORATED
BOARD OF TRUSTEES
August 26, 2025 at 12:00 PM**

I. Call to Order

President Shirley Martin-Smith called the meeting to order at 11:58 AM.

PRESENT

Shirley Martin-Smith
Perry Buck
Jill Baker
Marilyn Heck
Dana Baker
Kristi Laclé

Zak Bolick
Beth Easter
Jeffrey Heiman *via Teams*
Robert Day
Paul Werner
Mike Polanis

ABSENT

Adam Courtney
Mike Bernholtz
Doug Anderson

Barbara Ballard
Mary Carson

COTTONWOOD STAFF PRESENT

Colleen Himmelberg
Kyle George
Wendi Georgie
Jeff Whittier

Jessica Wood
Ettie Brightwell
Kara Walters
Bryan Woerner

FOUNDATION BOARD REPRESENTATIVE

Jay Taylor

II. Approval of Consent Agenda

Shirley Martin-Smith welcomed Jay Taylor, Foundation Board representative, to the meeting. Martin-Smith asked for approval of the consent agenda. So moved by Perry Buck; seconded by Zak Bolick; approved by all.

III. Reports

A. Financial/Investment Committee Report- Beth Easter

Beth Easter, Treasurer, reported on financials ending June 30. Cottonwood reported total operating revenues of \$1,392,640 and total operating expenses of \$1,517,142, resulting in a net operating loss of \$(124,502), with a 3% operating margin YTD. Contract Work Revenue and Voc. Rehab. Revenue continues to perform under budget; however, total revenue is still overperforming, primarily driven by strap contract revenue and HCBS Service revenue. Operating expenses are slightly over budget, mostly due to a \$200,000 transfer to the new Big Dreams Capital Fund held by the Foundation. Net operating income remains positive due to the favorable variance in revenue. Non-operating activities (investments and depreciation) totaled \$114,155, resulting in an overall net loss of \$(10,347) for the month. YTD net profit is \$401,497. Cash balance is \$2,220,338, while investments are valued at \$6,341,722 (4.36 months of reserves).

Jessica Wood shared that in 2024, we applied for the ERC credit. The Employee Retention Credit (ERC) is a refundable tax credit for qualified organizations in which employee retention was critical during the COVID pandemic. Cottonwood received the first payment from Q2 of 2021 in the amount of \$1.3 m. Payments for Q121 and Q321 should be received, although no time frame is known. Cottonwood will use this first payment to pay off the mortgage on the 2427 W. 31st Street rental property, with the

remainder to be added to investment accounts to assist with the goal of increasing reserves to 6 months of operating expenses. Discussion ensued.

Shirley Martin-Smith asked for a motion to approve the Treasurer's Report; so moved by Mike Polanis; seconded by Marilyn Heck; approved by all.

B. CEO – Colleen Himmelberg

Colleen Himmelberg announced position advancements. Kyle George is now the Director of Finance and Bryan Woerner, the Director of I.T.

Colleen Himmelberg shared highlights from the Metrics report. This report was developed to track real time data that can be used in the CEO evaluation process and departmental analysis. This report is completed by each department director each quarter and began in January 2025. The highlights included an increase in job retention, 69% in the first quarter to 83% in the second quarter. The CBIZ market study compression adjustment was completed in July with \$183,000 invested in wages bringing those below the median at or above the 50th percentile. Investing in staff leads to better retention and this is already showing to be a driving force. The 14c consumer hourly rate average remains above the minimum wage. Discussion ensued.

Cottonwood Industries (CWI) has received a new SourceAmerica contract with the DOD packaging seat belts for Humvees. This will increase 2026 projected revenue significantly. The cargo strap orders have been consistent and the annual strap budget for 2025 has already been met, and orders are placed through 2026. Himmelberg, along with Jessica Wood, are in the process of holding preliminary 2026 budget meetings with each director.

Legislative update: InterHab Governmental Affairs retreat agenda consists of working on our legislative platform for 2026, with much focus on the Conflict-of-Interest guidelines. Jeff Whittier shared a slide presentation on KDADS Targeted Case Management, IDD Modernization and the 2025 workgroup progress and how this could affect the CDDO and Cottonwood TCMs. (*see presentation slides attached*) Discussion ensued regarding board involvement with advocacy in the legislature. This will be an organized effort through our state organization and lobbyists. Ettie Brightwell will send talking points and sample letters when advocacy is needed.

C. Community Relations & Development Director- Ettie Brightwell

Ettie Brightwell shared that she has given 5 tours since June with a reach of 15 tourists. Ten volunteers from KU are coming next week to tour and then volunteer in CORE.

Salute! was the best to date. Final expenses are still coming in so the final number will be revealed soon. Next year's Salute! weekend has been moved to July 23-25 due to the World Cup dates. Discussion ensued.

Upcoming events- DSP week is September 8-12. We will celebrate our DSPs with surprises each day of the week, including Uplift Coffee truck, an ice cream truck, cookies and more. MiniMasters is September 25 from 5:00-7:00 PM in the parking lot of Building 3. The Life Enrichment Art Show at LAC is September 26, 5:30-7:30 PM. Ettie Brightwell is retiring, her last day is December 5. Retirement celebration details are coming soon.

IV. Business

A. Review & Approve Technology Plan

Bryan Woerner went over the 2025 Technology Plan which includes implementation of tools for SQL and Power Apps to create software applications in the Cloud. We are in the midst of upgrading primary and secondary internet service providers, this rollover should be completed on August 29. IT continues to formulate a plan to move the majority of File Shares to a Cloud Based Solution, create a remote accessible option. With the rapid advancement of Artificial Intelligence (AI) into nearly every facet of technology, we are currently evaluating different paid AI solutions, a paid subscription allows for more control of data entered. Additional improvements for 2025 include the introduction of the Cottonwood Landing Page, implementing a new Vehicle Checkout App, obtained additional storage space for IT equipment, purchased a 3D printer, renewed three-year contract with KnowBe4 cyber security awareness software to name a few.

Shirley Martin-Smith asked for a motion to approve the 2025 Technology Plan. So moved by Mike Polanis; seconded by Paul Werner; approved by all.

B. Review and Approve Title VI Plan

Colleen Himmelberg explained to the Board that according to KDOT regulations, Cottonwood has had a Title VI Plan in place since 2013. A copy of this plan was sent to Board Members in advance of the meeting for review. Himmelberg added that the plan requires Board approval every three years.

Shirley Martin-Smith asked for a motion to approve the Cottonwood, Inc. Title VI plan; so moved by Mike Polanis; seconded by Paul Werner; approved by all.

C. Confidentiality Agreement

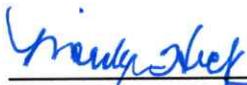
This document was included in the meeting agenda packet and sent to each board member via DocuSign. Wendi Georgie has hard copies available if board members still need to sign.

D. Executive Session

- i. Regular meeting adjourned at 1:00 PM
 1. Motion by Mike Polanis; seconded by Marilyn Heck
- ii. Reconvened regular meeting at 1:15 PM
 1. Motion by Robert Day; seconded by Paul Werner
- iii. Adjourn regular meeting at 1:20 PM
 1. Motion by Paul Werner; seconded by Robert Day

V. Adjournment

Noting no miscellaneous business, the meeting adjourned at 1:20 PM.



Marilyn Heck, Secretary



Date

Minutes recorded by Wendi Georgie, Executive Assistant.