CALL TO ORDER

Presiding Officer of the Faculty Senate, Melanie Hingle, called the Faculty Senate meeting to order at 3:01 p.m. via Zoom. Hingle welcomed all Faculty Senators, guests, and Observers. The agenda was shared in Chat. All are welcome to attend, but only Faculty Senators may participate. Audience members are encouraged to direct questions or comments to Faculty Senators. Panelists will be able to mute and unmute themselves, as well as turn cameras on and off. Please stay muted when you are not speaking, and raise your virtual Zoom hand to be recognized. In the interest of time, Faculty Senate is a two-hour meeting, so please keep questions and comments brief and limited to the agenda.


ACTION ITEM: APPROVAL OF THE FACULTY SENATE AGENDA FOR APRIL 4, 2022

Hingle referenced a proposed addition to today’s agenda by Senator Jeff Stone for a Faculty Senate Resolution - Opposition to the Stop Critical Race Theory and Racial Discrimination in Schools and Other Public Institutions Act. If the body approves the addition, Hingle will turn that part of the meeting over to Stone. Hingle moved [Motion 2021/22-41] to revise the agenda and asked for a second. Motion was seconded. There was no discussion. Motion passed and the agenda was approved as amended.

ACTION ITEM: APPROVAL OF THE MINUTES OF MARCH 14, 2022

Hingle asked for [Motion 2021/22-42] to approve the minutes of March 14, 2022. Motion was seconded. [Motion 2021/22-42] passed with one abstention.

OPEN SESSION: STATEMENTS AT THE PODIUM ON ANY TOPIC, LIMITED TO TWO MINUTES – MAXIMUM NUMBER OF SPEAKERS IS FOUR. NO DISCUSSION IS PERMITTED, AND NO VOTES WILL BE TAKEN.

Senator Stone addressed the Faculty Senate. In February 2022, the Arizona House of Representatives passed several measures to prohibit education about critical race theory in the State of Arizona. One measure, HCR 2001, is an amendment to the State constitution that would extend the ban to the State universities. If it passes, many of our colleagues, including faculty, students, administrators, and staff, could be at risk of violating the State constitution. Stone believes the Faculty Senate needs to respond to this legislation immediately. Stone’s reading of HCR 2001 is that it extends well beyond preventing people from knowing the tenets of critical race theory. For example, the current language could prohibit scholarship, instruction, and training about concepts like implicit bias, systemic and institutional racism, microaggressions, and the strategies people can use to reduce their biases. Many of UArizona’s faculty and students engage in cutting edge research on racism, sexism, and other forms of intergroup conflict. This law may prohibit the campus community from doing its research, which would shut down labs and research collaborations, and reduce faculty’s ability to bring in grants to fund this institution. The law is specifically directed at protecting students from learning about racism so as not to cause them discomfort. This could force instructors to drop these topics from their classes, or completely cancel classes in many colleges on campus, including Science, SBS, Education, Eller, the College of Law, and College of Medicine. The law may also end campus programs that build and maintain UArizona’s commitment to Diversity, Equity, and Inclusion. Imagine the negative impact this will potentially have on the retention and recruitment of faculty, students, and staff to the University. The University needs to act to mitigate the domino effect this legislation could have on the University community. Stone has two requests: First, that the administration has the campus community’s best interest if this legislation passes. It is imperative that the administration will continue to support the faculty, students and staff who work every day to understand and improve Diversity, Equity, and Inclusion on UArizona’s campus. Second, Stone believes the Faculty Senate should
support its colleagues by passing a Faculty Senate Resolution opposing specific sections of HCR 2001. Faculty Senate took a stand against legislation that will permit guns in our classrooms and labs, and at this time, the Faculty Senate should oppose legislation that will prevent UArizona from conducting the research, teaching, and programs that address racism. Stone will introduce the Resolution later in the meeting for discussion and vote. Stone thanked the body for its consideration of this very critical issue.

Senator Downing addressed the Faculty Senate. The Zovio/UArizona Global Campus (UAGC) saga continues. Last Friday, The Phoenix New Times reported that the US Dept of Education ended UAGC student’s access to the GI Bill. The developments followed a California Court ruling that Ashford/Zovio had “violated the law by giving students false or misleading information about career outcomes, cost, and financial aid.” The collateral damages to students is compounding. Fifty-one hundred (5,100) students at the UArizona Global Campus students on the GI bill are now shipwrecked by UArizona, UArizona Foundation, UAGC and/or Zovio refusing to comply with routine United States Department of Education requests. From the beginning until today, this saga is one of intentional, autocratic avoidance of the wisdom and due diligence that comes from following the shared governance law. By now, ABOR and the Robbins administration have lost objectivity. They formed a committee to develop a plan to patch a blowout. Before spending another minute or dollar, it’s time for an external assessment by an independent, off-campus panel mutually selected by the Faculty Senate and the Administration. If the Regents and President won’t listen to the elected faculty representatives, perhaps they will heed the advice of a high-stakes gambler: You’ve got to know when to hold them, know when to fold them, know when to walk away, and know when to run. Even if UArizona didn’t reach the Elite Eight in basketball, Downing trusts Nike will loan us the shoes for the run.

5. REPORTS FROM THE PRESIDENT, PROVOST, FACULTY OFFICERS, APPC, RPC, SAPC, DEI, GRADUATE COUNCIL, UNDERGRADUATE COUNCIL, SPBAC, ASUA, GPSC, UARIZONA STAFF COUNCIL

Hudson asked about a request of hers that had been sent forward to administration by Vice Chair Hingle for all available documentation pertaining to UAGC because to date, no documents have been received. Hudson would like to know where that request stands and when the information will be received in order to start crafting a strategy for an orderly unwinding of the situation. Dudas responded that he will track down the information requested and provide the information in a timely manner.

Gordon referenced his report to Faculty Senate and stated that a steering committee from Research, Innovation, and Impact (RII) created a stakeholder’s group to look into AIB and had made a series of recommendations. Research Policy Committee (RPC) had a distinct disagreement with one of the groups’ recommendations. The disagreement in question is should Principal Investigators (PI) receive a direct distribution of F & A from RII that bypasses the colleges. The stakeholder group advised that the F & A should be dispersed through the college, and after a lengthy and detailed discussion, RPC does not agree with its recommendation. RPC will put forward a motion at the September 2022 Faculty Senate meeting recommending the PI receive a direct distribution of the F & A from RII. Gordon would like Faculty Senators to review the report attached to today’s agenda, which contains a summary of RPC’s recommendations, along with the steering committee’s report.


This agenda item was postponed from the March 2022 Faculty Senate meeting. Hudson moved [Motion 2021/22-43] to amend/change the language to read, “Faculty Senate acknowledges and extends its appreciation to the many Career-track faculty who have been critical to initiating and sustaining the ongoing effort to refresh the University’s General Education curriculum.” The amendment/change would substitute the existing text in the Resolution. Motion was seconded. Ziurys, M. Witte, and McDonald agreed with Hudson that the text addresses the essence of what was intended in a succinct manner. Motion passed with three abstentions and is detailed at the end of these minutes.

7. ACTION ITEM: FACULTY SENATE RESOLUTION: OPPOSITION TO THE STOP CRITICAL RACE THEORY AND RACIAL DISCRIMINATION IN SCHOOLS AND OTHER PUBLIC INSTITUTIONS ACT – SENATOR JEFF STONE

Stone read a simplified statement from the Resolution, “Therefore, the Faculty Senate opposes specific provisions in the “Stop Critical Race Theory and Racial Discrimination in Schools and Other Public Institutions Act.” Stone then restated [Motion 2021/22-44] “WE, the elected members of the Faculty Senate at the University of Arizona, support legislation that prevents discrimination toward individuals and groups based on race or ethnicity. However, WE, the Faculty Senate, do not support legislation that prohibits scholarship, instruction, and programs on the UArizona campus that explain, debate, and mitigate the causes and consequences of racial/ethnic discrimination. Therefore, the Faculty Senate opposes specific provisions in the "Stop Critical Race Theory and Racial Discrimination in Schools and Other Public Institutions Act" (HBC 2001), including, but not limited to...:” Motion was seconded. Stone explained that there
are many aspects of HRC 2001 that the University community would agree with, but the Bill goes beyond into banning education, research, and programs that would address racism. Stone addressed parts of the measure that are problematic, referencing the Amendment in Section Twelve, Prohibition on State-Sponsored Racial Discrimination in Public Education. M. Witte supports the Resolution, but heeded caution to the importance of wording specific to University faculty’s research and teaching. Simmons suggested voting against the entire Bill instead of nuancing out sections that may be pertinent to only higher education. The name of the Bill is synonymous with restricting University protocols. Downing said normally this opposition to academic freedom would be led by ABOR, the President, and Provost who should all stand firm against this Proposition. Secondly, the Proposition has more to do with enforcing a Republican vote rather than attempts to enforce anything on campus. Ziurys asked where administration and the Regents stand. Summers replied that any proposed legislation is handled by the Government Relations Office, making a recommendation on where the University stands as a whole to ABOR, and that recommendation is made public by way of this upcoming ABOR meeting on Thursday, April 7, 2022. McDonald said his only concern is to on campus scholarship instruction programs and recommends a language change to The University of Arizona. Slepian supports a unified voice and does not think this is a separate matter of faculty versus administration. The nuances of supporting some aspects of the Proposition and not others, understanding the connectedness and interstices of how things dovetail with one another to sort out the physiology of what the Resolution speaks to. Postponement may be in order until we understand the mechanics of the Proposition and its Resolution and propose a stronger statement with gravitas of everyone acting in unison. Hingle asked Slepian to confirm a formal [Motion 2021/22-45] to postpone. Slepian affirmed. Ziurys seconded the motion. Downing said the Legislative process/action may precede Faculty Senate’s postponement, and in the interest of acting quickly, spearhead an invitation to administration, the Regents, and other in-state institutions as Slepian suggests. Slepian withdrew [Motion 2021/22-45] with intention to move forward quickly. Ziurys affirmed. Stone and Hudson agreed that time is of the essence to put forward a Resolution today, incorporating Stone’s Resolution with the addition of an academic freedom reference. Slepian said there are elements of the Proposition that are acceptable, but some other operational ones that are limiting academic freedom and the ability to discuss things from research in an isolated perspective. Dudas affirmed that the Faculty Senate can be representative of its oppositional views. M. Witte said a statement that opposed any legislation that would restrict, etc., would be a general statement and not restrictive to this Bill. The language can restrict the opposition to the University, restrict it to academic freedom, and oppose any legislation. Stone amended the Resolution, “Therefore, in the service of academic freedom, the Faculty Senate opposes specific provisions in HBC 2001 that prohibit scholarship, teaching, and programs that address discrimination based on race or ethnicity at the University of Arizona.” [Motion 2021/22-44] passed and is detailed at the end of these minutes.

8. **ACTION ITEM: CONSENT AGENDA: CLASS ATTENDANCE, PARTICIPATION, AND ADMINISTRATIVE DROP POLICY REVISION; CHOICE OF CATALOG REVISION; CHANGE OF SCHEDULE POLICY REVISION; POSTHUMOUS DEGREE POLICY PROPOSAL; UNDERGRADUATE MINOR IN SUSTAINABLE MINERAL RESOURCES – CHAIR OF THE UNDERGRADUATE COUNCIL, MOLLY BOLGER**

The proposals come to Faculty Senate as seconded motions from Undergraduate Council. Undergraduate Minor in Sustainable Mineral Resources was moved to the Non-consent agenda for discussion. Hudson asked what the Social Science components are for the Minor in Sustainable Mineral Resources. Professor of Practice, Brad Ross, from the Lowell Institute for Mineral Resources responded that the social sciences provided a great deal of input, including the Department of Anthropology. Classes from all areas of the University include Public Health, Law, and other social science areas. Hudson asked if any of the three key faculty are social scientists. Ross responded yes. Class Attendance, Participation, and Administrative Drop Policy Revision [Motion 2021/22-46], Choice of Catalog Revision [Motion 2021/22-47], Change of Schedule Policy Revision [Motion 2021/22-48], Posthumous Degree Policy Proposal [Motion 2021/22-49], and Undergraduate Minor in Sustainable Mineral Resources [Motion 2021/22-50] all carried and are detailed at the end of these minutes.

9. **INFORMATION ITEM: COI/COC POLICY CLARIFICATION – SENIOR VICE PRESIDENT FOR RESEARCH, INNOVATION, AND IMPACT, ELIZABETH CANTWELL**

Cantwell opened by saying that the PowerPoint she shares will be the first of many discussions on the COI/COC topic because it is core to some developing federal regulatory activity; oversight and actual compliance matters in the federal agency are in the process of being perfected. Cantwell’s presentation is a baseline of where things currently stand. A community effort is needed to accomplish a two-pronged approach to matters of academic freedom associated with international engagement. Everyone needs to participate in the development of a new office for research security that will be required after December 2022 when the federal agencies will be required to have all security mandates set. Cantwell would like to employ a working group with RII to support UA’s perspective on broad research security considerations that supports the prospective new office. UA will work with AAU, APLU, and other University coalitions that operate at scale to continuously engage in the larger messaging around the importance of international engagement. In August 2018, the National Institutes of Health (NIH) requested policy review and policy augmentation.
Policy development changes that were required began in February 2019 and developed a policy that underwent two review cycles and finalized in December 2021. The policy was sent to NIH for review in May 2021 as requested. The current COI/COC policy integrated five previous policies; the Conflict of Commitment Policy, Conflict of Interest (UHAP) Policy, Conflict of Interest in Purchasing Policy, Individual Conflict of Interest in Research Policy, and the Institutional Conflict of Interest Policy. Policy requirements are based on current Federal and State regulations. A compliance oversight with regard to institutional conflict began in 2011 and in 2018, COI and COC policies were to be reviewed and augmented. In 2021, the Presidential Memorandum on United States Government-Supported Research and Development National Security Policy (National Security Presidential Memorandum NSPM-33) was issued under the Trump administration and reaffirmed by the current administration. In January of 2022, the National Science and Technology Council issued guidance for implementing NSPM. A growing concern has escalated over federally funded research and keeping it free from foreign influence. If UAriana fails to comply with COI/COC policy requirements, it would be ineligible to receive federal funding, and funding would be implemented by agency instead of faculty driven. Private grants would cease, and employees would be in violation of the State of Arizona’s conflict status (ARS-38-503). Faculty who are externally evaluated may be at higher risk due to lack of conforming to policy. Support systems are being put in place in Research, Innovation, and Impact’s office to work with faculty to answer compliance questions on COI/COC policies and whatever work needs to be completed in order to allow faculty to reach goals with research funding. FAQ’s are being developed as they happen in real time to answer common questions, and for the next three years, an annual review with Faculty Senate and the Office of General Counsel to consider policy changes that may be needed as a result of FAQ analyses. Working together will be mandatory as the federal agencies develop and create policies associated with an SPF 33 by the end of 2022 to make sure that any considerable changes to the COI/COC policies are done with alacrity. If the faculty or the University are placed in an audit situation, University policies can be adapted and changed for better compliance. Other support tools include a disclosure matrix, which shows who is required to disclose pertinent information, and a decision tree, and responsibility/accountability consulted informed matrix. Cantwell provided a link for the White House Implementation Guidance, and informed Faculty Senate that more conversation will be forthcoming pertaining to digital persistent identifiers, consequences for violation, and a research security program. Assistant Vice President for Research Intelligence, Lori Schultz, has been deeply involved at the federal level and leading discussion on what can be expected in the near future. The National Science Foundation (NSF) is hoping to deploy an Artificial Intelligence (AI)-based system that will analyze all countries and correlate with self-reported PI and co-PI information. The system will use a proposal clustering tool to look at research-topic specific PI’s who have placed bids with the NSF. A text analytics tool will match proposals to publications. The NIH is focused on funding overlaps where duplicative work may be prevalent. The NSF is looking at direct conflicts of commitment, time commitments, and does other support compromise researcher’s ability to devote time to the work they are proposing. The Defense Advanced Research Projects Agency (Darpa) is looking at the risks of other relationships to proposed work. The most common way the NSF is finding issues to flag is when an author discloses a conflict in a publication, but the information wasn’t included in a bio sketch, or current or pending support. Systems are getting more complicated and larger and more diverse, publicly available databases are being used. Cantwell included the International Collaboration Catechism guiding principles and NSPM Implementation Guidance. Cantwell added that volunteer and pro bono work that are related to a University employee’s professional expertise, then they may be subject to current policy requirements. Work that is part of a faculty member’s professional service and evaluated in promotion and tenure may or may not be explicitly addressed in the current policies. UArizona is behind other Universities who have set up Research Security Offices after the 2018 guidance from NIH. When setting up a new office in a complicated compliance area, a faculty working group is helpful to see what that would look like. The University is in a position as an institution to call on the importance of international engagement and will be subject to regulatory structures that may be uncomfortable. Cantwell provided a link to MIT’s Foreign Engagement website. MIT has been successfully engaging in deeply classified work for over fifteen years. Some form of engagement across campus is needed that addresses the more philosophical question of the importance of global engagement in a way that speaks to each of the things that the University is responsible for, most importantly, academic freedom. Cantwell stressed that she will need the support to create a compliant Office of Research Security. Hingle asked Cantwell to clarify security from what or whom, specifically foreign influence. Cantwell said that the interpretations of what the COI/COC policies need to embody are not merely associated with people who already engage in foreign-related research. The language is broad and encouraged everyone to look at the “what should I disclose” matrix on the RII website. Dysart said that APPC recently had a discussion and shared concerns with Langford about financial disclosure requirements that are directly related to individuals who have federal grants and faculty who are doing research aren’t subject to the same requirements. Arizona State University has a bifurcated reporting system where researchers are subject to some reporting requirements connected to federal grants, but general faculty do not. Cantwell disagreed and stated that those faculty were under a different policy, which is related to outside activity. Dysart asked if it would be more practical to have a bifurcated policy for those who have federal grants and those that don’t to alleviate faculty not following the rules. Do faculty who don’t have grants and are not familiar with the grant process need to be subject to intense financial disclosure. Cantwell replied yes, but would like to have a separate conversation concerning state law requirement disclosures for all state employees, which is not the same as federal requirements and is worthy of a broader discussion. Hammer suggested that the new committee that is going to help set up the Office of Research Security be similar in structure to the Institutional Review Committee. Cantwell agreed. Hammer also suggested to
McDonald opened by giving background information on the Basic Needs Coalition that was assembled in Spring 2019 to address the ABOR Basic Needs Working Group for specific needs of students at UArizona. Its mission is to mobilize institutional and community resources to ensure that the student basic needs at UArizona, and across all Universities are met by moving barriers that limit student wellness, safety, academic success, and completion. A survey was distributed to student in Spring 2021 followed up by focus groups this past fall. Riebe shared the full report in Chat that was transmitted to ABOR. Two data sources were used to understand basic student needs. The survey had 3,600 respondents, or 10% of the student body. The survey was more representative of women and graduate students than the general population, but overall is a good representation of the student body. Topics included uses of resources, barriers to the use of those resources, perceptions of University support, and impact on student success. To better understand the lived experiences and barriers to access among our students, and with funding provided through the Hispanic Serving Institution's CARE funds. Focus groups were conducted with undergraduate and graduate student this past fall, centered around students who had experienced basic needs insecurity. Information was gathered on perceptions of campus efforts to address those needs and recommendations to improve the support for infrastructure and ways to better communicate the availability of resources to students. Analyses and reporting are still underway, but preliminary insights can be shared. One in three survey respondents experience food insecurity and nearly one in ten experience housing insecurity. Of the 35% who experience food insecurity, nearly half of those students were experiencing very low insecurity levels, referring to disrupted eating patterns and reduced food intake. Housing insecurity, which describes students who report a disruption in permanent housing was less common at 8%. Seven in ten of the students reporting housing insecurity faced some food insecurity. Ottusch reported that students who are from systemically marginalized populations are more likely to experience basic needs insecurity. Most students do not utilize the resources for food and housing insecurity; most didn’t know they were eligible or didn’t know that the resources exist, and stated that they feel they can handle things on their own. Students reported time constraints with getting to the Campus Pantry or other resources. Data showed that law students did not know they were eligible for any resources available. The Focus groups revealed the reasons for not seeking support are complex, including internal and external factors. Transportation, access to health care, access to technology or Wifi, and these aspects affect one’s mental health and the ability to focus on and be successful in classes, with the goal of reaching graduation. Internal aspects of pride and stigma related to asking for help also plague students. Navigating policies and knowing what is required to sign up for various programs, such as SNAP, can be better publicized to students. Student prioritization of basic needs is quite high. Ohala stated that faculty serve a critical role in normalizing the basic needs and supporting student access to and use of the basic needs resources. As faculty can connect students with resources in a fairly low-time investment ways. Adding basic needs language to syllabi templates that already exist on various UArizona policy pages, talking about services that are available in class. Research shows that if services/resources are pointed out in the first few weeks of class, students are more likely to inquire or talk to the instructor or seek out resources on their own. Adding a standing announcement or widget on a D2L course homepage shows that resources are available and helps to destigmatize and increase access to resources. Depending on the discipline, faculty can incorporate awareness of basic needs with a course assignment to also help reduce the stigma and normalize basic needs conversation so that students understand that it is acceptable to ask for help and guidance. Help can be found not only on the UArizona campus, but in the community as well. Ohala shared a Google document that has been created to gather input and asked Faculty Senators to contribute to the document with ways to help students meet their basic needs. Ohala offered contact information for the Co-chairs of the Coalition and the faculty involved, as well as mentioning the Student Affairs Policy Committee for any student-related concerns. The next steps for the Basic Needs Coalition are to continue to engage in community sharing of all student resources, and a Basic Needs Symposium is planned for the fall 2022.
shifting some language to highlight the consultative function rather than simply that information is shared, signifying more involvement from Faculty Senate. Another thought was to distinguishing more between faculty governance and shared governance and to add reference to the Committee of Eleven to both documents. Senators suggested adding the role of faculty elected grievance committees to the documents since they advise the President. There was another suggestion to clarify what the biomarkers should be to maintain the health of shared governance. M. Witte agreed that the suggestions were agreeable and that discussions should continue into the fall semester as a work in progress. McDonald asked about signatories on the document and Hingle responded that the body has not decided yet. Hammer feels that signatories are important for both components, and is in favor of the separation between the Guidelines and the operational process. Any time there is a change in the documents or leadership, the documents should be signed by all parties. The documents will be brought back at the May 2022 Faculty Senate meeting.

11. ADJOURNMENT

There being no further business, the meeting was adjourned at 5:04 p.m.

Michael Brewer, Secretary of the Faculty
Jane Cherry, Recording Secretary

Appendix*

*Copies of material listed in the Appendix are attached to the original minutes and are on file in the Faculty Center.

1. Faculty Senate Minutes March 14, 2022
2. Report from the President
3. Report from the Faculty Officers
4. Report from RPC
5. Report from SAPC
6. Report from Graduate Council
7. Report from UArizona Staff Council
8. Report from the Gen Ed Office with UWGEC
9. Faculty Senate Resolution recognizing the contributions of Career-track faculty in the development of the General Education Curriculum Refresh
10. Faculty Senate Resolution Opposition to the Stop Critical Race theory and Racial Discrimination in Schools and Other Public Institutions Act
11. Consent Agenda Class Attendance, Participation, and Administrative Drop Policy Revision
12. Consent Agenda Choice of Catalog Revision
13. Consent Agenda Change of Schedule Policy Revision
14. Consent Agenda Posthumous Degree Policy Proposal
15. Consent Agenda Undergraduate Minor in Sustainable Mineral Resources
16. COI/COC Policy Clarification
17. UArizona Student Basic Needs Infrastructure
18. Documents describing shared governance, faculty and administrators

Motions of April 4, 2022 Faculty Senate Meeting

[Motion 2021/22-41] to accept the revised agenda. Motion was seconded. Motion passed.

[Motion 2021/22-42] to approve the minutes of March 14, 2022. Motion was seconded. Motion passed.

[Motion 2021/22-43] Faculty Senate Resolution recognizing the contributions of Career-track faculty in the development of the General Education Curriculum Refresh. Motion was seconded. Motion passed.

[Motion 2021/22-44] Faculty Senate Resolution Opposition to the Stop Critical Race Theory and Racial Discrimination in Schools and Other Public Institutions. Motion passed.

[Motion 2021/22-45] Motion to postpone [Motion 2021/22-44]. Motion was withdrawn.

[Motion 2021/22-46] Seconded motion from Undergraduate Council Class Attendance, Participation, and Administrative Drop Policy Revision. Motion carried.

[Motion 2021/22-47] Seconded motion from Undergraduate Council Choice of Catalog Revision. Motion carried.
[Motion 2021/22-48] Seconded motion from Undergraduate Council Change of Schedule Policy Revision. Motion carried.


[Motion 2021/22-50] Seconded motion from Undergraduate Council Undergraduate Minor in Sustainable Mineral Resources

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