

**From:** [Jed Bradley](#)  
**To:** [OFM Budget: Boggs, Breann \(OFM\)](#)  
**Cc:** [Norris Hall, Sarah](#); [Joe Dacca](#); [Johnson, Rebecca \(UW\)](#)  
**Subject:** UW response to contingency planning for state agency operations  
**Date:** Friday, May 05, 2017 4:43:43 PM  
**Attachments:** [University of Washington Contingency Plan 2017.pdf](#)

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Good afternoon,

I have attached an updated contingency plan for the University of Washington. Please note that we would appreciate OFM's guidance regarding several questions, which are at the end of the document.

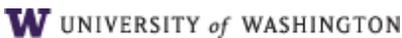
Let us know if you have any questions.

Thanks!  
Jed

**JED BRADLEY**

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**From:** Boggs, Breann (OFM) [<mailto:breann.boggs@ofm.wa.gov>]

**Sent:** Friday, April 28, 2017 3:30 PM

**To:** Trotter, Steve <[trotters@evergreen.edu](mailto:trotters@evergreen.edu)>; Rust, Coleen <[rustc@evergreen.edu](mailto:rustc@evergreen.edu)>; Teater, Linda <[Linda.Teater@wwu.edu](mailto:Linda.Teater@wwu.edu)>; England, Kirk <[kirk.england@wwu.edu](mailto:kirk.england@wwu.edu)>; Thiemann, Karen (CWU) <[Karen.thiemann@cwu.edu](mailto:Karen.thiemann@cwu.edu)>; Rosebrook, Alexandra <[arosebrook@ewu.edu](mailto:arosebrook@ewu.edu)>; Jed Bradley <[jedbrad@uw.edu](mailto:jedbrad@uw.edu)>; Becka Johnson Poppe <[jbecka@uw.edu](mailto:jbecka@uw.edu)>; Berthon, Cherie (SBCTC) <[cberthon@sbctc.edu](mailto:cberthon@sbctc.edu)>

**Subject:** FW: Contingency Planning for State Agency Operations

Hello All,

On Tuesday, David Schumacher sent a memo to agency heads and university presidents regarding contingency planning in the case of a government shutdown. (Note – that at this point, OFM expects there to be a 2017-19 budget enacted in a timely manner).

I wanted to make sure you all had a copy of this memo. The memo requests an update to contingency information that was provided in 2013 and 2015.

“Please submit to OFM any changes to the services you previously provided at [ofm.budget@ofm.wa.gov](mailto:ofm.budget@ofm.wa.gov) by Friday, May 5. If you have no changes, send an email stating you have no updates. Descriptions of services should include an estimate of how many staff would be necessary to carry out these operations, including the minimum level of support staff who would be

essential for continuing services under categories 3 and 4 above. Attached is an update of the legal briefing we provided in 2015. If you have further legal questions, please consult your assigned assistant attorney general.”

I can't locate a 'contingency memo' from previous years; and Cherie had some recollection that these conversations happened over email or phone.

I'll follow-up with each of you separately next week to discuss.

~Breann

Breann Boggs  
Office of Financial Management  
Budget Assistant to the Governor – Higher Education  
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**From:** Mattos, Liz (OFM) **On Behalf Of** Schumacher, David (OFM)  
**Sent:** Tuesday, April 25, 2017 1:11 PM  
**To:** Alvarado-Ramos, Alfie (DVA) <[Alfie@DVA.WA.GOV](mailto:Alfie@DVA.WA.GOV)>; Batiste, John <[john.batiste@wsp.wa.gov](mailto:john.batiste@wsp.wa.gov)>; Bellon, Maia (ECY) <[maib461@ECY.WA.GOV](mailto:maib461@ECY.WA.GOV)>; Bonlender, Brian (COM) <[Brian.Bonlender@commerce.wa.gov](mailto:Brian.Bonlender@commerce.wa.gov)>; Cockrill, Michael (Watech) <[michael.cockrill@watech.wa.gov](mailto:michael.cockrill@watech.wa.gov)>; Danner, Dave (UTC) <[ddanner@utc.wa.gov](mailto:ddanner@utc.wa.gov)>; Daugherty, Bret D. (MIL) <[Bret.Daugherty@mil.wa.gov](mailto:Bret.Daugherty@mil.wa.gov)>; Guerin, Tracy (DRS) <[TracyG@drs.wa.gov](mailto:TracyG@drs.wa.gov)>; Hunter, Ross (DEL) <[ross.hunter@del.wa.gov](mailto:ross.hunter@del.wa.gov)>; Kohler, Pat (DOL) <[PKohler@DOL.WA.GOV](mailto:PKohler@DOL.WA.GOV)>; Lashway, Patricia (DSHS) <[LashwPK@dshs.wa.gov](mailto:LashwPK@dshs.wa.gov)>; Liu, Chris (DES) <[chris.liu@des.wa.gov](mailto:chris.liu@des.wa.gov)>; Meotti, Michael (WSAC) <[MichaelM@wsac.wa.gov](mailto:MichaelM@wsac.wa.gov)>; Millar, Roger <[millarr@wsdot.wa.gov](mailto:millarr@wsdot.wa.gov)>; Papiez, Gloria (DFI) <[Gloria.Papiez@dfi.wa.gov](mailto:Gloria.Papiez@dfi.wa.gov)>; Peinecke, Dale (ESD) <[DPeinecke@ESD.WA.GOV](mailto:DPeinecke@ESD.WA.GOV)>; Sacks, Joel (LNI) <[sacj235@LNI.WA.GOV](mailto:sacj235@LNI.WA.GOV)>; Sahandy, Sheida (PSP) <[sheida.sahandy@psp.wa.gov](mailto:sheida.sahandy@psp.wa.gov)>; Sandison, Derek (AGR) <[DSandison@agr.wa.gov](mailto:DSandison@agr.wa.gov)>; Schumacher, David (OFM) <[David.Schumacher@ofm.wa.gov](mailto:David.Schumacher@ofm.wa.gov)>; Sinclair, Stephen D. (DOC) <[sdsinclair@DOC1.WA.GOV](mailto:sdsinclair@DOC1.WA.GOV)>; Smith, Vikki (DOR) <[VikkiS@DOR.WA.GOV](mailto:VikkiS@DOR.WA.GOV)>; Teeter, Dorothy F. (HCA) <[dorothy.teeter@hca.wa.gov](mailto:dorothy.teeter@hca.wa.gov)>; Unsworth, James W (DFW) <[Jim.Unsworth@dfw.wa.gov](mailto:Jim.Unsworth@dfw.wa.gov)>; Wiesman, John (DOH) <[jmwiesman@doh.wa.gov](mailto:jmwiesman@doh.wa.gov)>; Bridges, George (Evergreen) <[Bridges@Evergreen.edu](mailto:Bridges@Evergreen.edu)>; Brown, Marty (SBCTC) <[mbrown@sbctc.edu](mailto:mbrown@sbctc.edu)>; Cauce, Ana Mari <[cauce@u.washington.edu](mailto:cauce@u.washington.edu)>; Cullinan, Mary (EWU) <[president@ewu.edu](mailto:president@ewu.edu)>; Francis, Paul <[pfrancis@cop.wsu.edu](mailto:pfrancis@cop.wsu.edu)>; Gaudino, James <[gaudino@cwu.edu](mailto:gaudino@cwu.edu)>; Randhawa, Sabah (WWU) <[sabah.randhawa@wwu.edu](mailto:sabah.randhawa@wwu.edu)>; Schultz, Kirk (WSU) <[kirk.schulz@wsu.edu](mailto:kirk.schulz@wsu.edu)>; Adams, Kate <[kadams@bta.state.wa.us](mailto:kadams@bta.state.wa.us)>; Bales, David (CJTC) <[dbales@cjtc.state.wa.us](mailto:dbales@cjtc.state.wa.us)>; Braseth, Svein (TRE) <[Svein.Braseth@tre.wa.gov](mailto:Svein.Braseth@tre.wa.gov)>; Brown, Marty (SBCTC) <[mbrown@sbctc.edu](mailto:mbrown@sbctc.edu)>; Carney, Tim <[Tim.Carney@northwestmuseum.org](mailto:Tim.Carney@northwestmuseum.org)>; Clark, Mark (SCC) <[MClark@scc.wa.gov](mailto:MClark@scc.wa.gov)>; Deschamps, Elaine (CFC) <[elaine.deschamps@cfc.wa.gov](mailto:elaine.deschamps@cfc.wa.gov)>; Griffith, Reema <[GriffiR@wstc.wa.gov](mailto:GriffiR@wstc.wa.gov)>; Herman, Kim <[kim.herman@wshfc.org](mailto:kim.herman@wshfc.org)>; Hoch, Don (PARKS) <[Don.Hoch@PARKS.WA.GOV](mailto:Don.Hoch@PARKS.WA.GOV)>; Kilmer, Jennifer <[jennifer.kilmer@wshs.wa.gov](mailto:jennifer.kilmer@wshs.wa.gov)>; Lee, Lorraine (OAH) <[lorraine.lee@oah.wa.gov](mailto:lorraine.lee@oah.wa.gov)>; Lerch, Steve (ERFC) <[SteveL@dor.wa.gov](mailto:SteveL@dor.wa.gov)>; Lopez, Evelyn (PDC) <[evelyn.lopez@pdc.wa.gov](mailto:evelyn.lopez@pdc.wa.gov)>; Mason, Dean A. (DOC) <[damason@DOC1.WA.GOV](mailto:damason@DOC1.WA.GOV)>; Matthews, Lindsay (COS) <[lindsay.matthews@salaries.wa.gov](mailto:lindsay.matthews@salaries.wa.gov)>; Moore, Doug <[Doug.moore@whrc.state.wa.us](mailto:Doug.moore@whrc.state.wa.us)>; Moredo-Burich, John (WSHS) <

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**Subject:** Contingency Planning for State Agency Operations

Please see attached. (Electronic transmittal only.)

Liz Mattos for  
David Schumacher, Director  
Office of Financial Management  
(360) 902-0526  
[www.ofm.wa.gov](http://www.ofm.wa.gov)



May 5, 2017

**TO:** David Schumacher, Director, Office of Financial Management  
State of Washington

**FROM:** Sarah Hall, Associate Vice Provost, Planning & Budgeting  
Joe Dacca, Director of State Relations, External Affairs  
University of Washington (UW)

**SUBJECT: UW RESPONSE TO CONTINGENCY PLANNING FOR STATE AGENCY OPERATIONS**

The UW has compiled the following response to your questions regarding contingency planning for state agency operations on July 1.

**1. Services funded by appropriations in the enacted transportation budget (ESSB 5096).**

The UW does not have any transportation infrastructure funding out of this budget, and we have not identified any first order impacts to the possible shutdown. There are several potential second order impacts that we are assessing:

- Impact on Business Partners: If necessary, we will contact our key business partners (e.g. Metro) to determine how they would be impacted, and are confirming that appropriate contingencies are in place for their continuous operation. We will escalate immediately should any concerning information come from that.
- Loss of Funding Opportunity: There are additional funding opportunities that could be canceled or deferred by a shutdown. None of these are assumed in our business plan so there would not be a noticeable impact.

**2. Services that do not require an appropriation, e.g., from non-appropriated funds.**

Approximately 95 percent of the UW's current operations are supported by non-appropriated funds. (These non-appropriated funds include tuition operating fee revenue.)

It is important to note that these non-appropriated funds also include Medicare and Medicaid reimbursements for UW Medicine. The impact of the state not being able to reimburse these funds is a cash flow issue for UW Medicine (in the millions of dollars each month). It is unclear, however, if these payments would be frozen in the event of a shutdown.

It should be noted that some research funding for the UW comes from other state agencies and is not included in the percentage of state funding mentioned above. State agency funded research dollars may be from appropriated funds and thus could be impacted by the state shutdown.

**3. Services to continue based on certain constitutional mandates and federal law. (Please consult with your assigned assistant attorney general for clarification. The existence of a state statute or federal grant is not, by itself, a sufficient mandate for this purpose.)**

- UW Police Department (UWPD): Under the Clery Act Federal Reporting Requirements, the UWPD is required to report timely warnings, immediate notifications, enforcement of drug and alcohol laws, etc. For details about essential personnel, see the UW response to Question 4.
- Disability Resources for Students (DRS): Assuming the UW does not suspend classes, students with disabilities will need to have access to appropriate services and be able to request accommodations. This would necessitate DRS to remain operational in some form.
- Community Standards & Student Conduct (CSSC) and UW Compliance Services: Again, assuming the UW does not suspend classes, CSSC and Compliance Services would need to remain operational in order to complete investigations and allow for due process (timely manner of review/resolution, appeals, etc.).
- Financial Aid: The UW is required to meet all administrative (668.16) and financial responsibility (668.15) regulations as agreed upon in our Program Participation Agreement (PPA) with the federal government. In summary, we are required to provide adequate staff and resources to run the financial aid programs, provide financial aid counseling, monitor academic progress, decide on appeals, report disbursements, and draw down funds and report on expenditures within a few days. We are also required to meet financial responsibility standards with an overall requirement that we provide the educational services we advertise to students and are able to make refunds back to students and the federal government. We must also meet our financial responsibilities such as debt obligations, have our liabilities backed by the full faith and credit of the state, and have a positive unrestricted current fund balance in the State's Higher Education Fund (as presented in the general purpose financial statements). If any of the actions above cannot be met, then the UW will be out of compliance with federal financial aid program requirements and millions in federal financial aid funding could be at risk.
- Health Sciences Administration: The support of animal care elements qualifies under this category given the federal regulatory requirements for adequate husbandry for animals at all times, as well as the irreparable harm that would occur were they not provided appropriate care.
- Environmental Health & Safety: Federal regulatory requirements also drive much of the work of Environmental Health & Safety, even though much of that work is performed using appropriated/allotted funds. Without this body of work, the University would likely be in non-compliance concerning numerous State and Federal regulatory requirements.

There may be additional activities and/or services that are mandated by federal law or the constitution. We will continue working to identify these activities/services.

#### **4. Services necessary for the immediate response to issues of public safety or to avoid catastrophic loss of state property.**

The services and personnel that the UW considers to be essential in the event of a state government shutdown are the same as those considered essential during suspended University operations. However, assuming that services supported by non-appropriated funds are allowed to continue in the absence of a state budget, additional faculty and staff would be deemed essential to support other ongoing operations, such as Summer Quarter instruction. Thus, in addition to the UW's

essential services under suspended operations (described below), Summer Quarter faculty, Student Services staff, Human Resources (HR) personnel and others would be necessary.

At least once per year, University officers are expected to evaluate the operations under their control and identify and record the units and/or individual positions that perform essential services that must continue to function if the University must suspend operations ([Administrative Policy Statement 40.2](#)). Positions deemed essential typically are necessary to support or maintain:

- Human health, welfare and/or safety: This includes the UW Police Department (UWPD) and Environmental Health & Safety (EH&S). As part of its essential services, the UWPD must continue to fulfill the Clery Act Federal Reporting Requirements; respond to 911 calls, civil disturbances, crimes in progress, fire alarms, etc.; enforce flagrant traffic violations (reckless driving, DUI, etc.); investigate felonies; prepare cases for court and court appearances as required by subpoena; and much more. EH&S is responsible for maintaining a safe environment that meets all health, safety, and regulatory requirements. Losing the portion of EH&S work that is funded by state allocations could lead to unsafe conditions across all three campuses.
- Information technology services or security: UW Information Technology (UW-IT) manages UW central IT infrastructure and services, including data centers, and information security and privacy. UW-IT provides critical technology support to all three campuses, UW medical centers, and research operations.
- Building or property security, safety, and integrity: This includes, again, the UWPD and EH&S. In addition, the UW has a number of capital projects currently in progress. If a capital budget has not been passed and reappropriated funds are unavailable to continue these projects, the security and integrity of some UW properties could be compromised. Assets at the construction sites could be exposed to risk and additional costs for security, overhead, etc. could be incurred.
- Research animals, specimens, or equipment: This primarily includes the UW Health Sciences Administration, which is responsible for, among other things, implementing federal and non-federal requirements for use of vertebrate animals in research and teaching. A lack of appropriate animal care could lead to adverse impacts for animals that are central to the University's research mission. Many of the research animals are extremely valuable and represent the culmination of years of careful breeding. Their loss would represent a significant financial loss. Additionally, without appropriate animal care, the University would lose large amounts of grant funding for translational research.
- Critical infrastructure: UW Facilities Services (FS) supports and maintains the UW's critical infrastructure. FS has several departments, which operate, maintain and support the University's physical plant, grounds, transportation, emergency, building maintenance, and waste management programs. Without FS, other essential units (such as IT, UW Medicine, etc.) will not have power, water, heat, and other basic resources needed to operate.
- Critical business, contractual, or legal obligations including human resources and employee payroll: UW Human Resources (UWHR) is responsible for essential staff services, benefits administration, responses to labor issues and legally required activities such as violence prevention and disability accommodation services. UW Finance is responsible for employee payroll processing and administration. Without UWHR and UW Payroll, the UW will be out of compliance with federal and state mandates.

In addition to our responses on the questions above, we have several outstanding questions and/or concerns that will affect the magnitude to which a government shut-down would impact University faculty, students, and staff. In order to plan appropriately, **we would appreciate guidance from OFM on the following:**

1. The information provided above assumes that the University will be authorized to encumber and expend all non-appropriated funds, including operating fee revenue (tuition). Please confirm if this is NOT the case.
2. Assuming the University is authorized to encumber and expend non-appropriated funds, we have a question about the use of blended funds. For example, instructional costs are funded with a combination of state appropriations with operating fee revenue. State law currently requires the University to “draw down” these funds proportionally. In the event that state appropriations are temporarily unavailable, would it be possible for OFM to re-configure the allotment of these funds so that the University may spend operating fee revenue (not appropriated) now and use a higher proportion of state funds (001) later in the year?
3. If the legislature does not re-appropriate funds for ongoing capital projects, will the University be required to continue these projects?
4. Assuming the University is authorized to maintain externally funded research activities, corresponding administrative support services (e.g., billing federal sponsors, procurement and payment of goods and services, etc.) are critical in ensuring projects can continue unconstrained. May the University spend non-appropriated funds to maintain these functions?
5. How will the absence of a state budget on July 1<sup>st</sup> affect state-employee healthcare?