Texas State shall engage in due diligence in awarding contracts to vendors of services, who will maintain permanent staffing on the campus:

1. Before awarding a contract to a vendor of services, who will permanently place employees on the campus where such employees will be working with or around students, Texas State shall:
   1. During the bidding or negotiation process, notify prospective vendors, in writing, of the requirements of this paragraph;
   2. Secure credit and criminal background checks on the vendor’s officers and managers dealing with or on the campus; and,
   3. Research prior or pending claims against the vendor (e.g., negligent hiring claims).
2. All contracts in which the vendor permanently places employees on the campus, working with or around students, shall include the following provisions and requirements:
   1. A general liability policy, providing primary coverage and naming Texas State, Texas State University System (TSUS), TSUS Regents, and their employees as additional insureds;
   2. Indemnity and/or hold harmless clauses, protecting Texas State, Texas State University System (TSUS), TSUS Regents, and their employees from third party claims, caused, in whole or in part, by the actions or omissions of vendor, its employees, or other persons that the vendor causes to be on the campus;
   3. A representation by the vendor that it has conducted the following background checks on its officers, employees, or other persons it causes to be on the campus:
      1. Sex offender and criminal history databases where the above individuals will be placed permanently on the campus, working with or around students;
      2. Criminal history and credit history background checks where the above individuals will be handling money, informational technology, or other security-sensitive areas as determined by the president;
   4. That the president may require the vendor to remove any person from the campus that, in his or her judgment, poses a danger to health or safety;
   5. An “independent contractor” clause.