

Administrative Directive Title: Requirements for Vendors, Contractors, and Service Providers	AD Number: 2.809.2	Adopted: November 2024
Policy References: Board Policy 2.809 – Vendor Relations	Revised:	

1 In order to ensure the safety of all students and staff on school campuses, third party contractors,
 2 vendors, and service providers must comply with the additional requirements of this directive
 3 before performing the services contracted. This directive will apply to any company or business
 4 contracted to perform work or services on school buildings, properties, or facilities, provide
 5 information technology services, or provide direct services to students of the school district.

6 **Backgrounds Checks**

7 All contractors, vendors, or service providers must perform a background check in compliance
 8 with Tenn. Code Ann. 49-5-413 on any individual hired by the contractor, vendor, or service
 9 provider who will be assigned to work at a school building when children are present. It is the
 10 responsibility of the contractor, vendor, or service provider to determine suitability of the
 11 individual based on a review of the information contained in the individual’s background check
 12 and in accordance with Tenn. Code Ann. 49-5-413(d). An individual will be considered
 13 presumptively disqualified if the individual’s criminal background check contains any of the
 14 following:

- 15 1. Criminal homicide;
- 16 2. Crimes involving child abuse or neglect;
- 17 3. Crimes against children;
- 18 4. Robbery or burglary;
- 19 5. Crimes involving rape or sexual assault;
- 20 6. Kidnapping or false imprisonment;
- 21 7. Physical assault or battery;
- 22 8. Arson;
- 23 9. Manufacture, delivery, sell, or possess a controlled substance with intent to manufacture,
 24 deliver or sell the controlled substance;
- 25 10. A violent misdemeanor committed as an adult or juvenile against a child, including, but
 26 not limited to the following crimes: child abuse, child endangerment, sexual assault, or of
 27 a misdemeanor involving child pornography; or
- 28 11. Sex offender designation.

29 **Insurance Requirements**

30 All contractors, vendors, or service providers coming on to district premises to perform work or
 31 provide services are required to have insurance. A certificate of insurance from the contractors,
 32 vendors, or service providers will be required prior to the beginning of work/start of the contract.
 33 The following minimum insurance standards shall apply to all contractors, vendors, or service
 34 providers performing work or providing services at the school district. If in the opinion of the

35 Finance Director, a service or contract represents an unusual or exceptional risk, additional
36 insurance coverage may be required.

- 37 1. Commercial General Liability Insurance: Including Bodily Injury and Property Damage
38 Liability, Independent Contractors Liability, Contractual Liability, Product Liability and
39 Completed Operations Liability in an amount not less than \$1,000,000 combined single
40 limit, per occurrence, and \$2,000,000 aggregate.
- 41 2. Workers' Compensation: Statutory limits in compliance with Tennessee statutes are
42 required.
- 43 3. Employers Liability Coverage: \$500,000.
- 44 4. Automobile Liability: For vendors who will drive on school district property, Automobile
45 Liability in an amount not less than \$1,000,000 per occurrence for bodily injury and
46 property damage, including owned, hired and non-owned vehicle coverage.

47 Vendors and contractors shall name Murfreesboro City Schools as an additional insured on its
48 general liability insurance policy as it pertains to the work performed/service provided/product
49 delivered to the school district and shall provide a 30-day notice of cancellation or non-renewal of
50 coverage to the school district. Such insurance must be primary as to any other valid and collectible
51 insurance. MCS does not need to be named as an additional insured on the workers' compensation
52 or professional liability policies. Coverages and limits are to be considered as minimum
53 requirements and in no way limits the liability of the vendor, contractor or service provider. All
54 policies shall evidence insurance written by reputable carriers authorized to conduct business in
55 Tennessee. Renewal certificates of insurance shall be provided annually until all work is
56 completed.

57 **Confidentiality Requirements**

58 If a contractor, vendor, or service provider is performing an institutional service or function that
59 has been outsourced by the school district and for which the school district would otherwise use
60 its employees and is under the direct control of the school district with respect to its use of
61 education records as defined by 34 CFR 99.33, the contractor, vendor, or service provider will be
62 required to comply with all FERPA requirements related to the use and disclosure of personally
63 identifiable information from education records.

64 **Foreign Entities**

65 There are specific regulations that apply to payments to international companies/foreign vendors.
66 Requests to purchase goods or services from a foreign vendor must be approved by the Finance
67 Director.

Legal References
34 CFR 99.33