

QUALIFICATIONS FOR CANDIDACY IN CALIFORNIA ELECTIONS

Adopted by Convention Delegates May 4, 2013

- WHEREAS,** Since its inception, PTA has been concerned about the safety and welfare of children and youth, and continues to advocate for the safety, health, and well-being of children; and
- WHEREAS,** California school districts require prospective employees to complete a criminal history check before employment; and local school boards and other local governing bodies perform various employment and volunteer functions with general access to children but are not required to have criminal history checks performed; and
- WHEREAS,** California Penal Code Section 11105 (b)(11) and California Education Code Section 45125(1) authorize California local school boards and other local governing bodies to access state summary criminal history information and requires these bodies to have specific board bylaws to authorize access to complete summary criminal history information; now therefore be it
- RESOLVED,** That California State PTA urge its units, councils and districts to work in cooperation with their respective local school boards and local governing bodies to develop practices and board policy to insure that all local governing school board members/trustees and local governing bodies complete criminal history checks in order to fulfill employment requirements and elected duties; and be it further
- RESOLVED,** That California State PTA support and encourage legislation that would amend the California election code to require candidates to complete a criminal history check as a condition of being placed on a Local School Board and/or a Local Governing Body election ballot; and be it further
- RESOLVED,** That California State PTA support and encourage all statewide local school boards and all statewide local governing bodies to adopt bylaws and policies that subject current members to summary criminal history checks when applicable.

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BACKGROUND SUMMARY

After the arrest of certain elected officials for alleged criminal activity we discovered that there is no legal requirement for a criminal background check for local school board members and other local governing bodies.

California State PTA recognizes that elected governing board members and elected City Council members play a vital role in carrying out the district and city's educational and city goals, providing leadership, and ensuring that the district and city are responsive to the values, beliefs, and priorities of the community. For this purpose, we believe that all statewide local school board and other local governing bodies must be fingerprinted and have a background check before they are placed on an election ballot.