



OFFICE OF THE GOVERNOR

OCT 08 2011

To the Members of the California State Assembly:


I am returning Assembly Bill 47 without my signature.

This bill modifies the eligibility criteria used to identify schools under the Open Enrollment Act which was enacted last year to provide parents with enrollment options in 1000 public schools that fail to meet defined student academic achievement criteria.

The bill increases the threshold for identifying open enrollment schools to exclude schools that score above 700 on the Academic Performance Index for two consecutive years. The California Department of Education estimates that based on the revised criteria only 150 schools would be included in the new list of schools. I believe that the proposed changes go too far and would undermine the intent of the original law.

The State Board of Education has administrative authority to exempt schools from the Open Enrollment Act that document strong student academic achievement. I expect the Board will thoughtfully exercise this authority and believe we should carefully review the implementation effects of the program before making significant changes.

Sincerely,


Edmund G. Brown Jr.