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Office of the Governor

June 1, 2011

Speaker John Oceguera
Nevada State Assembly
401 South Carson Street
Carson City, NV 89701

RE: Assembly Bill 456 of the 76th Legislative Session

Dear Mr. Speaker:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Assembly Bill 456, which is entitled:

AN ACT relating to education; authorizing certain pupils to receive a standard high school diploma without passing all subject areas of the high school proficiency examination under certain circumstances; authorizing the board of trustees of a school district to adopt a policy that allows certain pupils enrolled in high school the opportunity to make up credit; authorizing a juvenile court to impose certain orders against the parent or legal guardian of a child who is adjudicated in need of supervision because the child is a habitual truant; revising provisions governing employment of minors; and providing other matters properly relating thereto.

This bill alters requirements for graduation from high school. In order to receive a standard high school diploma, students must pass all portions of the Nevada High School Proficiency Examination (HSPE) and meet certain other district and state requirements. Approval of Assembly Bill 456 would allow students to graduate from high school even if they continue to fail one subject area of the HSPE, so long as they earn at least a 2.75 grade point average, satisfy minimum attendance requirements, do not have any pending disciplinary actions, and obtain a cumulative passing score on the HSPE.

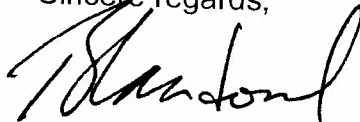
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Supporters of the bill point out that some students cannot pass the math portion of the HSPE, but these students are otherwise proficient in all other subject areas and do well in school. While personally compelling, this argument lacks a broad policy implication; if the number of students is as small as has been represented, other remedies may exist besides a wholesale change in graduation requirements. The bill does not address the fact that Nevada's graduation rates and grade-level performance are amongst the worst in the nation. It similarly fails to address why an achievement gap exists for a few students on certain portions of the HSPE. Other measures already enacted this legislative session do more to change the status quo. For example, Assembly Bill 290 will allow the principal of a high school to postpone administration of the math and/or science portion of the HSPE for pupils who are not academically ready. These students will be enrolled in appropriate course work and participate in a program designed to help students pass the exam.

Although this bill may allow more students to graduate from high school, it represents diminished expectations for our students and lower standards for obtaining a high school diploma in Nevada. In my State of the State address, I said that our education system emphasizes too many of the wrong things. AB 456 is another example of this paradigm and would send the wrong message to our students.

I am committed to improving our education system and enhancing student achievement. Because this bill provides a way to hide or ignore a student achievement problem, rather than to fix it, I veto it and return it to you without my approval.

Sincere regards,



BRIAN SANDOVAL
Governor

Enclosure

cc: Lieutenant Governor Brian Krolicki, President of the Senate (without enclosure)
The Honorable Steven Horsford, Senate Majority Leader (without enclosure)
The Honorable John Ocegüera, Speaker of the Assembly (without enclosure)
David A. Byerman, Secretary of the Senate (without enclosure)
Susan Furlong, Chief Clerk of the Assembly (without enclosure)
Brenda Erdoes, Esq., Legislative Counsel (without enclosure)