

Date: April 12 2016

To: State of Nevada

From: Daniel Benway

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Reference: HSPE Exams

I request that the State of Nevada Legislation have an emergency session, immediately! The issue is that the State of Nevada has a law that all Nevadan students are required to take the HSPE exams prior to graduating high school. The facts are; the HSPE is proven to be flawed, per the Nevada Legislation. Also, per the Nevada Legislation, Nevada Legislation voted to eliminate the HSPE exams because it is flawed. Thousands of students in Nevada have failed one or all these exams and will not be allowed to graduate. These students have stated that they will drop out of school if they are not going to receive a diploma! This issue warrants an emergency hearing due to the facts at hand. The Nevada Governor can request an emergency hearing or 2/3rds of the Legislation can request an emergency session! I request that Nevada students are allowed to have a waiver!

Now, my daughter, Michelle Benway student#492722, is a senior in the Clark County School District here in Las Vegas Nevada. Michelle's primary language is Spanish and English is her secondary. Michelle goes to school at Las Vegas high, she has been taking honor classes and advanced honor classes since 9th grade. Michelle has a current GPA of 3.7 and her goal is to graduate this year (2016) with advance honors. Michelle has already purchased her gown and has worked hard for years in order to achieve her goals. Michelle has been accepted to UNLV, biology department for the 2016, fall semester. She then, will attend pre-med in order to achieve her dreams as being a medical doctor which as you well know, this country is in desperately need of more doctors. Later, Michelle plans to work for a hospital but I hope one day that she will work for the Department of Veteran Affairs or the US Airforce to give back to our soldiers and Veterans for everything they have done for this country.

The Nevada Department of Education (NVDOE) has notified me that over four thousand (4,000) high school students like Michelle have failed one or all of the required proficiency exams. This is way too many students that may not graduate each year! Now; Michelle passed her math proficiency exam but failed her reading proficiency exam five times. Last year, Michelle went to her school on Saturdays in order to gain the knowledge to pass this exam. Michelle even went to the NVDOE website and downloaded the reading study material, HSPE. Last year, Michelle failed her test again! This year, Las Vegas High School put Michelle into a reading proficiency class during school hours, in order to prepare her for this reading proficiency exam. NOTE: Michelle has an "A" 98% in this class! Michelle studied once again, the reading exam material from the NVDOE website. In October 2015, Michelle took this reading proficiency exam once again and failed. The highest grade that she received for this exam was a 286. Per state requirements, students are only allowed to take this test six times. If the student fails the exams, the student can re-take the exam during the summer as many times needed to pass but they get a regular diploma. Note; the next HSPE exam date is in April 2016. If these students that failed these exams do not pass, CCSD, NVDOE will not allow these students to graduate with their class mates in 2016. Now; Michelle asked many students who took these tests and passed, how did they passed. They stated to her that they guessed at the questions because the tests were different from the study materials that were provided. Michelle has been depressed, crying and wanting to go to bed after school because of failing this reading proficiency several times. This

practice reading exam from NVDOE was created in 2005, then revised in 2009, per there study material. What I understand, the NVDOE then revised the proficiency exams in 2013. I feel that the CCSD and the NVDOE do not have adequate study materials for high school students to study or practice so these students can pass the proficiency exams and graduate on time!

Now, many students have already expressed that they will drop out of school, not to continue their education if they fail again. These same students may struggle in life, even commit crimes and go in and out of jail because of these exams and our law makers! This is a proven FACT, for decades students have dropped out of school all over this country.

Now; I was also notified that this year (2016) is the last year that these proficiency exams (HSPE) are going to be used. For the next two years, the HSPE exams will not be required. Per the State of Nevada legislation, I found out that the HSPE exams are proven to be flawed and our legislation and the NVDOE are fully aware of this! Why didn't CCSD, Nevada Board of Education and the NVDOE discontinue these exams immediately, so these students this year can graduate with their class mates? This is double standards! I understand that parents and teachers for the CCSD have voiced their complaints regarding these exams. The NVDOE and the Nevada board of education have failed to listen to the people and address these issues! I was notified that CCSD teachers have witnessed these children that failed these exams, how saddened, crying, upset they are each time it occurs!

On March 9 and 10th 2016, I contacted the Clark County School District and the Nevada Department of Education regarding this issue. I spoke with several people and no one addressed this ongoing issue. They said, to have Michelle study harder for the exam! I was told by a NVDOE employee (Henry King) that we can go to the NVDOE board meeting on March 17 2016 and express our opinion. I was also told that the board may not do anything this year regarding this issue! I then notified him that this issue must be addressed immediately, so these students can graduate with their class mates! Then I contacted the NVDOE Superintendent, Steve Canavero. He said to have Michelle study harder. On March 9 2016 at 1205PM, I called the governor's office, explained the issue and the lady stated that I needed to contact the school district and the NVDOE. I told the lady at the Governor's office that the governor is over these agencies and the governor must get involved! On March 10 2016, I called the U.S Department of Education and spoke with the OIG. I explained the issue in detail. They stated that I needed to speak with the Secretary of Education regarding this matter. I was then transferred to the Secretary of Education but had to leave a detailed message and asked for someone to call us back regarding this issue!

In 2001, Congress created the no child left behind act and President Bush signed it into law. Then, the every student succeed act, ESEA flexibility was created. Nevada is one of the states that are approved for the ESEA flexibility. Currently, Senator Dean Heller has also been informed of this issue!

The study material provided by the NVDOE is NOT adequate for these students to pass these exams. The NVDOE kept the reading and science proficiency at 300 but lowered the math to 242, per the NVDOE and the Las Vegas Sun article. This article from the Las Vegas Sun in 2013 addresses the bottom five high schools that have the lowest HSPE passing rates; Chaparral High at 36.9%, Cheyenne High at 35.5%, Western high at 32.1%, Desert Pines high at 27.4% and Sunrise Mountain high at 26.3%. Now; when our state requires some student to take the proficiency exams but not others, this is called double standards! If these students continue to fail these exams, they will not be able to graduate with their class mates. These students that fail these exams and do not graduate may get physiological issues, drop out of school and not

continue their education. This issue must be addressed and resolved immediately because if it is not, future high school students are going to have these same issues!

To recap; I request that the State of Nevada Legislation have an emergency session immediately! This issue does in fact warrant an emergency hearing due to the facts at hand! I request that these Nevadan students that failed these proficiency exams receive a waiver for a couple reasons.

First-HSPE is proven to be flawed, per the Nevada Legislation.

Second-Per the Nevada Legislation, Legislation voted to eliminate the HSPE because it is flawed

These children are our future generation. Everyone must get involved in this matter, whether or not these children are yours. I am an Army combat veteran that feels that this nation needs and depends upon our future generation to succeed in life in order for the United States to remain the most powerful nation in the world!

If you have any questions, feel free to contact me at (702) 249-6511.

Sincerely,