

Legislative Analysis



ELIMINATE ACT WORKKEYS OR SIMILAR ASSESSMENT REQUIREMENTS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4037 (proposed substitute H-1)
Sponsor: Rep. Pamela Hornberger

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4038 (proposed substitute H-1)
Sponsor: Rep. John Reilly

Committee: Education
Complete to 3-15-21

SUMMARY:

House Bills 4038 and 4037 would amend the Revised School Code and State School Aid Act, respectively, to remove the requirement that the Michigan Merit Examination (MME) include an assessment that can be used in evaluating the student's workforce readiness.

Currently, the MME must be administered to students in 11th grade (or 12th grade, if the student did not complete the MME in 11th grade) and must include the following:

- Assessments that measure English language arts, math, reading, and science, as well as writing skills, and that are used by colleges and universities for entrance or placement purposes.
- At least one test that assesses a student's reading and math skills in a way that employers can use in making employment decisions. The Department of Technology, Management, and Budget and superintendent of public instruction must ensure that the test can be used to secure the results of a nationally recognized evaluation of workforce readiness. (Currently fulfilled by the ACT WorkKeys assessment.)
- A social studies component.
- Any other component necessary to ensure that the MME complies with the requirements of the federal No Child Left Behind Act and Every Student Succeeds Act.

Both bills would remove the second requirement and retain the other three.

House Bill 4038 would also amend the Revised School Code to explicitly prohibit the Michigan Department of Education (MDE) from requiring the administration of a workforce readiness assessment by a district or public school academy (PSA) that assesses a student's ability to apply reading and mathematics skills.

However, HB 4038 provides that the board of a school district or board of directors of a PSA could provide students with the opportunity to take such an assessment and also that, if a student requested to take the assessment, the district would have to ensure the student was provided with that opportunity. If a district or PSA offered the assessment, the legislature would have to appropriate funds for reimbursement of that cost. Finally, MDE would have to submit a report by June 1, 2021, and yearly thereafter on the number of districts and PSAs that offered the assessment and the number of students that took the assessment.

MCL 380.1279g and proposed MCL 380.1279i

House Bill 4037 would make complementary changes to the State School Aid Act. It would also provide that MDE could not require, as a condition of the receipt of school aid, the administration by a district of a workforce readiness assessment.

HB 4037 is tie-barred to HB 4038, which means that it could not take effect unless HB 4038 were also enacted.

MCL 388.1704b

Each bill would take effect 90 days after its enactment.

FISCAL IMPACT:

The bills would create an indeterminate cost impact for the state by eliminating the requirement that the MME include a workforce readiness assessment, and instead requiring that the legislature appropriate funds to MDE to reimburse local school districts or PSAs that offer pupils the opportunity to take a workforce readiness assessment. Currently, MDE has a contract through the spring of 2023 with ACT WorkKeys for the assessment, with an annual cost of about \$4.4. million. This cost could decrease depending on the number of districts and PSAs that opt in to the assessment. Student assessment contract costs are appropriated in section 104 of the State School Aid Act. MDE could incur an administrative cost to report to the legislature on the number of districts and PSAs that opted in to the assessment and the number of pupils who took the assessment; this cost would likely be absorbed using existing staff time.

Legislative Analyst: Jenny McInerney
Fiscal Analysts: Samuel Christensen
Jacqueline Mullen
Emily Hatch

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.