



Senate Fiscal Agency  
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Senate Bills 349 and 350 (Substitute S-3 as passed by the Senate)  
Sponsor: Senator Dayna Polehanki  
Committee: Education

Date Completed: 8-20-25

## **RATIONALE**

Grade 11 students are required to take the ACT® WorkKeys® job skills assessment in Applied Math, Graphic Literacy, and Workplace Documents as part of the Michigan Merit Exam (MME). The MME is administered over a three-day period. The ACT® WorkKeys® job skills assessment takes half of one of those days. Some believe that the educational loss and administrative burden created by administering this specific assessment are not worth it, as ACT® WorkKeys® job skills assessment credentials are used only for entry into certain skilled trades. The credentials are not used by students bound for college, university, or non-trade industries. Accordingly, it has been suggested that students be given the ability to opt-out of the ACT® WorkKeys® job skills assessment.

## **CONTENT**

**Senate Bill 349 (S-3)** would amend the Revised School Code to do the following:

- **Allow a pupil to opt-out of the ACT® WorkKeys® job skills assessment Applied Math, Graphic Literacy, and Workplace Documents portion of the MME beginning with the 2025-2026 school year.**
- **Require the Department of Education (MDE) to develop and post on its website an opt-out waiver that a student and the student's parent or legal guardian would have to print, sign, and submit to the student's school district, intermediate school district (ISD), or public school academy (PSA) by February 28 of the testing school year.**
- **Require the MDE to consult with industry professionals to develop an informational letter about the purpose and benefit of the ACT® WorkKeys® job skills assessment.**
- **Require each school district, ISD, and PSA to provide this informational letter to all students by December 31 of the testing school year.**

**Senate Bill 350 (S-3)** would amend the State School Aid Act to specify that school districts, ISDs, and PSAs would continue to receive State funds while providing students with the ability to opt-out of the ACT® WorkKeys® job skills assessment.

Senate Bill 350 is tie-barred to Senate Bill 349, which is described in greater detail below.

### **Senate Bill 349 (S-3)**

The Code requires the board of a school district or board of directors of a PSA to administer the MME to pupils in grade 11 and pupils in grade 12 who did not complete the MME the year before. Currently, the State School Aid Act requires a school district, ISD, or PSA to administer the MME to receive State funding.

The MME consists of three parts:

- The College Board SAT® with Essay Evidence-Based Reading and Writing and Math.
- The ACT® WorkKeys® job skills assessment in Applied Math, Graphic Literacy, and Workplace Documents.
- The M-STEP Science and Social Studies assessment.

The bill would allow a student to opt out of the ACT® WorkKeys® assessment through a waiver developed by the MDE and signed by the student's parent or legal guardian beginning with the 2025-2026 school year. The bill would require the MDE to make the waiver available on its website. A student and the student's parent or legal guardian would have to submit the signed waiver to the school district, ISD, or PSA by February 28 of the school year in which the test was to be administered.

Additionally, the bill would require the MDE to consult with an individual who represented business, an individual who represented manufacturing, and an individual who represented skilled trades organizations in the State to develop an informational letter about the purpose and benefits of the ACT® WorkKeys® assessment. A school district, ISD, or PSA would have to provide this informational letter to all applicable pupils and the parents or legal guardians of those pupils by December 31 of the school year in which the test was to be administered.

MCL 380.1279g (S.B. 349)  
388.1704b (S.B. 350)

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

The bills would allow students to opt out of unnecessary standardized testing but preserve the importance of the ACT® WorkKeys® assessment for some students. Standardized tests make up a large part of a student's educational journey, particularly for high schoolers preparing to take their next steps. The assessment acts as an entrance exam for apprenticeship programs; however, for students pursuing other pathways, such as university, the test is unnecessary. Testimony before the Senate Committee on Education indicates that many students do not study for the assessment due to its limited utility. The bills would allow students and their parents to customize their standardized testing, alleviating an unnecessary burden. Additionally, through the provision of an informational letter to students and parents, the bills would ensure that the skilled trades received more visibility and that parents and students understood the consequences of opting out of the assessment. The bills would give students flexibility without sacrificing the utility of the ACT® WorkKeys® assessment.

### **Supporting Argument**

The bills could reduce issues that schools have associated with administering the ACT® WorkKeys® assessment. The MME is administered over three days, with one day dedicated to each part. In other words, a school loses a day of instructional time to administer the ACT® WorkKeys® assessment. Additionally, standardized testing poses logistical problems for schools. Reportedly, a school must mute its bells and other notification systems while students are testing, which may hinder operation. As the ACT® WorkKeys® assessment only takes three hours, students taking the test are given a half-day and must be bused home, potentially creating issues with transportation. Giving students flexibility to take the ACT® WorkKeys® assessment would also improve schools' flexibility in the assessment's administration.

Legislative Analyst: Abby Schneider

## **FISCAL IMPACT**

The bills would have a minimal fiscal impact on the MDE and local schools. The MDE would experience additional one-time costs to develop a waiver to a portion of the MME. Current appropriations should be sufficient to cover these additional costs. Local schools could experience minimal costs to provide waivers to pupils and parents or legal guardians. These costs likely would be covered and incorporated within current costs for administering the MME.

Fiscal Analyst: Ryan Bergan  
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.