

**THE REVISED SCHOOL CODE (EXCERPT)**  
**Act 451 of 1976**

**380.392 Opening of new school prohibited; circumstances.**

Sec. 392. The board of a community district shall not open a new school if both of the following circumstances exist:

(a) The proposed school would operate at the same location as a public school that currently is on the list under federal accountability requirements as provided under the every student succeeds act, Public Law 114-95, of the public schools in this state determined to be among the lowest achieving 5% of public schools in this state or has been on the list under federal accountability requirements as provided under the every student succeeds act, Public Law 114-95, during the immediately preceding 3-year period of the public schools in this state determined to be among the lowest achieving 5% of public schools in this state.

(b) The proposed school would have substantially the same leadership and substantially the same curriculum offerings as the school that previously operated at that location.

**History:** Add. 2016, Act 192, Imd. Eff. June 21, 2016;—Am. 2018, Act 601, Eff. Mar. 29, 2019;—Am. 2023, Act 34, Eff. Feb. 13, 2024.

**Compiler's note:** For transfer of state school reform/redesign school district and state school reform/redesign officer from department of education to state school reform office created as an autonomous entity within department of technology, management, and budget, see E.R.O. No. 2015-2, compiled at MCL 18.445.

For transfer of certain powers and duties of department of education and superintendent of public instruction under MCL 380.1280c and 423.215 to state school reform/redesign office, see E.R.O. No. 2015-2, compiled at MCL 18.445.

**Popular name:** Act 451