

**160.1597 Term of approved charter school contract -- Contract between board of directors and authorizer's governing body -- Corporate powers -- Prohibition against tax levies and use of eminent domain -- Immunity from liability.**

- (1) Upon the approval of a charter contract by a public charter school authorizer, the applicant shall be permitted to operate a public charter school for a term of five (5) years.
- (2) The board of directors of the public charter school shall negotiate and execute a charter contract with the governing body of the authorizer.
- (3) A public charter school shall have all corporate powers necessary and desirable for carrying out a public charter school program in accordance with this section and the terms of the charter contract, including all of the powers of a local board of education and of a local school district, except as otherwise provided in KRS 160.1590 to 160.1599.
- (4) The powers granted to a public charter school under this section constitute the performance of essential public purposes and governmental purposes of this state. A public charter school shall be exempt to the same extent as other public schools from all taxation, fees, assessments, and special ad valorem levies on its earnings and its property. Instruments of conveyance to or from a public charter school and any bonds or notes issued by a public charter school, together with the income received, shall at all times be exempt from taxation.
- (5) A public charter school shall not have the power to levy taxes or to acquire property by eminent domain, but shall have police powers to the same extent and under the same requirements as a local school district.
- (6) The board of directors of the public charter school shall have final authority over policy and operational decisions of the public charter school, although the decision-making authority may be delegated to the administrators and staff of the school in accordance with the provisions of the charter contract.
- (7) Notwithstanding any other statute to the contrary, no civil liability shall attach to any public charter school authorizer or to any of its members or employees, individually or collectively, for any acts or omissions of the public charter school. Neither the local school district nor the Commonwealth shall be liable for the debts or financial obligations of a public charter school or any person or corporate entity who operates a public charter school.

**Effective:** July 14, 2022

**History:** Amended 2022 Ky. Acts ch. 213, sec. 8, effective July 14, 2022. -- Created 2017 Ky. Acts ch. 102, sec. 8, effective June 29, 2017.