

256B.4 Powers of board of directors.

1. The board of directors of a school district or area education agency, with the approval of the director of the department of education, may provide special education programs and services as defined in [this chapter](#). If services are provided by the area education agency, the board of directors of the area education agency with the cooperation of the local school districts within its jurisdiction may:

a. Establish and operate special education programs and classes for the education of children requiring special education.

b. Acquire, maintain, and construct facilities in which to provide education, corrective services, and supportive services for children requiring special education.

c. Make arrangements with participating school districts for the provision of special education, corrective, and supportive services to the children requiring special education residing in the school districts.

d. Employ special education teachers and personnel required to furnish corrective or supportive services to children requiring special education services.

e. Provide transportation for children requiring special education services that are in need of transportation in connection with any programs, classes, or services.

f. Receive, administer, and expend funds appropriated for its use.

g. Receive, administer, and expend the proceeds of any issue of school bonds or other bonds intended wholly or partly for its benefit.

h. Apply for, accept, and utilize grants, gifts, or other assistance.

i. Participate in, and make its employees eligible to participate in, any retirement system, group insurance system, or other program of employee benefits, on the same terms as govern school districts and their employees.

j. Do such other things as are necessary and incidental to the execution of any of its powers.

2. The board of directors of the local district or the area education agency shall employ qualified teachers certified by the authority provided by law as teachers for children requiring such special education. The maximum number of pupils per teacher shall be determined by the board of directors of the local district or the area education agency board in accordance with the rules and regulations of the state board of education.

3. The board of directors of the local district or the area education agency may establish and operate one or more special education centers to provide diagnostic, therapeutic, corrective, and other services, on a more comprehensive, expert, economical, and efficient basis than can be reasonably provided by a single school district. The services, if offered by the area education agency board, may be provided in the regular schools using personnel and equipment of the area education agency or, if it is impractical or inefficient to provide them on the premises of a regular school, the area education agency may provide services in its own facilities. To the maximum extent feasible, centers shall be established at and in conjunction with, or in close proximity to, one or more elementary and secondary schools. Local districts or the area education agencies may accept diagnostic and evaluation studies conducted by other individuals, hospitals, or centers, if determined to be competent. Children requiring special education services may be identified in any way that the department of education determines to be reliable. Centers established pursuant to [this section](#) may contain classrooms and other educational facilities and equipment to supplement instruction and other services to children with disabilities in the regular schools, and to provide separate instruction to children whose degree or type of educational disability makes it impractical or inappropriate for them to participate in classes with normal children.

[C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §281.4]

[86 Acts, ch 1245, §1479, 1480](#)

[C93, §256B.4](#)

[96 Acts, ch 1129, §113; 2010 Acts, ch 1061, §180](#)