

March 2, 1971

OPINION LETTER NO. 146

Answer by letter - Bartlett

Arthur L. Mallory  
Commissioner of Education  
State Board of Education  
Jefferson State Office Building  
Jefferson City, Missouri 65101



Dear Commissioner Mallory:

This letter is in response to your request for our review and certification of the State Plan, Title III-A, National Defense Education Act of 1958, for the fiscal year ending June 30, 1972, and for each succeeding fiscal year for which the National Defense Education Act of 1958 is effective and for which the provisions of this Plan are valid.

Our review has taken into consideration Title III-A of the National Defense Education Act of 1958, P.L. 85-864 (1958), as amended by P.L. 87-344 (1961), P.L. 88-210 (1963), P.L. 88-665 (1964), P.L. 89-329 (1965), P.L. 89-752 (1966), and P.L. 90-575 (1968); and Federal Regulations, 30 F.R. 7 (1965), 45 C.F.R. 141 (1970).

Based on this review, it is the opinion of this office that:

1. The Missouri State Board of Education, the State Agency named in the Plan, is the "State Educational Agency" as defined in the National Defense Education Act of 1958, 20 U.S.C. Section 403(e), which has authority under State law to administer the State Plan or to supervise the administration of the State Plan;
2. The State Board of Education has the authority under State law to develop, submit and administer or supervise the administration of the State Plan;
3. The State Board of Education has authority under State law to carry out the State Plan, and

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4. All State Plan provisions are consistent with State law.

In conjunction with this letter opinion which constitutes our official certification of this State Plan, we have completed the certification form attached to the State Plan (page 4).

Very truly yours,

JOHN C. DANFORTH  
Attorney General

Enclosure