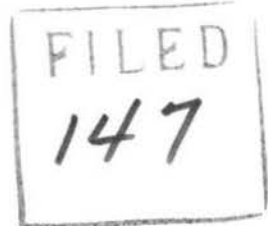


March 3, 1971

OPINION LETTER NO. 147

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 Board of Education's State Plan, Title II, Elementary and Secondary Education Act of 1965, for the fiscal year ending June 30, 1971, and for each succeeding fiscal year for which the Elementary and Secondary Education Act of 1965 is effective and for which the provisions of the Plan are valid.

Our review has taken into consideration Title II of the Elementary and Secondary Education Act of 1965 (P.L. 89-10) as amended by P. L. 89-750 (1966), P.L. 90-247 (1968) and P.L. 91-230 (1970); and Federal Regulations, 32 F.R. 2753 (1967), 45 C.F.R. 117 (1970).

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

1. The Missouri State Board of Education is the "State Educational Agency" required by Section 203(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 823 (a)(1)) to have authority, either directly or through arrangements with other State or local public agencies, to act as the sole agency to submit the State Plan;
2. The Missouri State Board of Education has authority under State law to carry out or to arrange for the carrying out of the programs described in the State Plan, and
3. All State Plan provisions are consistent with State law.

Arthur L. Mallory

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

Very truly yours,

JOHN C. DANFORTH
Attorney General

Enclosure