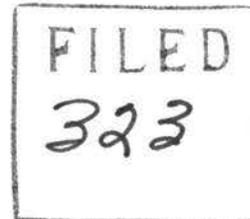


June 24, 1971

OPINION LETTER NO. 323  
Answer by Letter-Bartlett

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



Dear Commissioner Mallory:

In accordance with your request of June 3, 1971, we have reviewed the Missouri State Board of Education's Application for Program Grant for Migratory Children (fiscal year 1972). This application is being submitted under Title I of the Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended by P.L. 89-750, P.L. 90-247 and P.L. 91-230.

In addition to the Elementary and Secondary Education Act of 1965, as amended, and the regulations pursuant thereto, our review has taken into consideration Article III, Section 38(a), Missouri Constitution, and Section 161.092, RSMo 1969.

Based on the foregoing, we hereby certify that the Missouri State Board of Education has authority under State law to perform the duties and functions of a "state educational agency" as defined in Title I of Public Law 89-10 (20 U.S.C. Section 244) including those arising from the assurances set forth in the application and that the State Board of Education has the authority to submit and administer the special educational programs and projects for migratory children as set forth in the application.

All provisions of this application are consistent with State law with the exception of paragraph 11 B. 1. on page 8 of the application.

Dr. Arthur L. Mallory

This opinion letter constitutes our official certification and should be inserted in the appropriate place in each copy of the application. We are returning herewith two copies of the application.

Very truly yours,

JOHN C. DANFORTH  
Attorney General