



OFFICES OF THE
ATTORNEY GENERAL OF MISSOURI
JEFFERSON CITY

JOHN C. DANFORTH
ATTORNEY GENERAL

June 23, 1972

OPINION LETTER NO. 174

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 May 8, 1972, 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 (Section 20 U.S.C. Section 241 e(c)(1)).

In addition to the Elementary and Secondary Education Act of 1965 as amended, and the regulations pursuant thereto (45 C.F.R. 116, January 1, 1972 edition), our review has taken into consideration Article III, Section 38(a), Missouri Constitution, and Sections 161.092 and 178.430, 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 9 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.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John C. Danforth". The signature is written in dark ink and is positioned above the typed name.

JOHN C. DANFORTH
Attorney General