



OFFICES OF THE

ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

May 10, 1974

JOHN C. DANFORTH  
ATTORNEY GENERAL

OPINION LETTER NO. 208

Mr. B. W. Robinson  
Assistant Commissioner  
Director, Career and Adult Education  
Department of Education  
Jefferson State Office Building  
Jefferson City, Missouri 65101

Dear Mr. Robinson:

This is in answer to your request for our review of the annual revision of the State Plan for Vocational and Technical Education in Missouri, said revision being necessary under the provisions of the Vocational Education Act of 1963, Public Law 88-210, as amended in 1968 by Public Law 90-576 (20 U.S.C. §1241 et seq.).

We note that the new reorganization bill, C.C.S.H.C.S.S.C.S.S.B. No. 1, 77th General Assembly, abolishes the old Department of Education and transfers all powers and duties to the new Department of Elementary and Secondary Education, which is also headed by a State Board of Education and a Commissioner of Education as the chief administrative officer. See C.C.S.H.C.S.S.C.S.S.B. No. 1, 77th General Assembly, Section 5. Subsection 7 of Section 6 of the reorganization act provides that all responsibility for administering the federal-state programs of vocational-technical education, except for the 1202a post-secondary educational amendments of 1972 program, will remain with the Department of Elementary and Secondary Education and the ultimate responsibility for developing the various plans will remain with the State Board of Education.

It is the opinion of this office that the Missouri State Board of Education is the "state board" in this state within the meaning of Section 108(8) of Public Law 90-576. Also, we find that the Missouri State Board of Education has the authority under state

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law to submit a State Plan for Vocational Education and to administer or supervise the administration of same. See Sections 178.420 to 178.580, RSMo 1969. Further, we think that the provisions of this Plan can be carried out by the state; and we note that the Commissioner of Education has been duly authorized by the Missouri State Board of Education to submit the State Plan for Vocational and Technical Education in Missouri and to represent the Missouri State Board of Education in all matters pertaining thereto. See Section 178.540, RSMo 1969.

Therefore, in conjunction with this letter opinion which constitutes our official certification of the application, we have completed the required certification form.

Yours very truly,

JOHN C. DANFORTH  
Attorney General