

July 11, 1974

OPINION LETTER NO. 265

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

Dear Dr. Mallory:

This letter is in response to your request for our review and certification of the State Board of Education's State Program for Adult Education under the Adult Education Act of 1970.

Our review has taken into consideration the Adult Education Act of 1970, P.L. 91-230; the federal regulations applicable to such act (45 C.F.R. part 166; 38 Fed. Reg. 16131 et seq. (June 20, 1973)); Article III, Section 38(a), Article IV, Section 15, and Article IX, Sections 1(b), 2(a) and 2(b), Missouri Constitution; Sections 161.092, 171.096, and 178.430, RSMo 1969; and Section 171.091, RSMo 1973 Supp., and related provisions.

It is the opinion of this office:

1. That the Missouri State Board of Education is the State Board in the state within the meaning of the Adult Education Act.
2. That said Board has the authority under state law to submit a state plan.
3. That said Board has authority to administer and supervise the administration of the foregoing state plan.
4. That all of the provisions of the foregoing plan are consistent with state law.

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5. That the State Commissioner of Education has been duly authorized by the State Board of Education to submit the foregoing state plan and to represent the Missouri State Board of Education in all matters pertaining thereto.

6. That the State Treasurer has the authority under state law to receive, hold and disburse federal funds under the state plan.

In conjunction with this letter opinion which constitutes our official certification of the state plan, we have completed a certification form consistent with this opinion letter.

Very truly yours,

JOHN C. DANFORTH  
Attorney General

CERTIFICATION OF ATTORNEY GENERAL

State of Missouri

I hereby certify:

1. That the Missouri State Board of Education is the State Board in the state within the meaning of the Adult Education Act (Public Law 91-230).
2. That said Board has the authority under state law to submit a state plan.
3. That said Board has authority to administer or supervise the administration of the foregoing state plan.
4. That all of the provisions of the foregoing plan are consistent with state law.
5. That the State Commissioner of Education has been duly authorized by the State Board of Education to submit the foregoing state plan and to represent the Missouri State Board of Education in all matters pertaining thereto.
6. The State Treasurer has authority under state law to receive, hold and disburse federal funds under the state plan.

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JOHN C. DANFORTH  
Attorney General

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(Date)