



OFFICES OF THE

ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

August 4, 1976

JOHN C. DANFORTH  
ATTORNEY GENERAL

OPINION LETTER NO. 114

Dr. Arthur L. Mallory, Commissioner  
Department of Elementary and Secondary  
Education  
Jefferson 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 Annual Program Plan for the Consolidation of Libraries and Learning Resources, Educational Innovation and Support under Title IV of the Elementary and Secondary Education Act of 1965, as amended by Public Law 93-380 (1974), 20 U.S.C., Section 1801, et seq.

Our review has taken into consideration Title IV of the Elementary and Secondary Education Act of 1965, as amended; the applicable federal regulations (40 Fed.Reg. 53482-53503, November 18, 1975); Article III, Section 38 (a) and Article IX, Section 2 (a), Missouri Constitution.

It is the opinion of this office that:

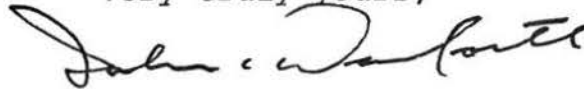
1. The Missouri State Board of Education is the "state educational agency" required by Section 403 (a) (1), P.L. 93-380 (1974), to have authority to act as the sole agency to submit the annual program plan.

2. The Missouri State Board of Education has authority under state law to carry out or arrange for the carrying out of the programs described in the annual program plan.

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3. All annual program plan provisions with respect to the use of funds under Title IV can be carried out in this state.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John C. Danforth".

JOHN C. DANFORTH  
Attorney General