Exhibit B
Resolution Adopting Existing Plan
IN RE: WILMER HUTCHINS INDEPENDENT SCHOOL DISTRICT

ORDER OF THE COMMISSIONER

Pursuant to Tex. Educ. Code § 13.054(a), in my capacity as Commissioner of Education, I hereby make the following findings:

1. Wilmer Hutchins Independent School District (ISD) has been rated academically unacceptable/low performing for a period of two years.

2. Wilmer Hutchins ISD students have been educated by the Dallas ISD since August 2005.

3. The educational impact of the annexation of Wilmer Hutchins ISD to Dallas ISD is to raise the student enrollment of Dallas ISD by approximately 2900 students. Dallas ISD is rated as "Academically Acceptable" in the Academic Excellence Indicator System. The addition of the students from Wilmer Hutchins ISD will not change the "Academically Acceptable" rating of Dallas ISD.

4. The financial impact on the receiving district, Dallas ISD, will be an additional amount of state funds in the General Fund. Attached is a Financial Impact Statement detailing the financial impact on Dallas ISD as a result of the annexation of Wilmer Hutchins ISD.

5. The annexation of Wilmer Hutchins ISD to Dallas ISD will not substantially impair the ability of Dallas ISD to educate the students located in the district before the annexation and to meet its financial obligations incurred before the annexation.

6. It is in the best interest of the students of Wilmer Hutchins ISD that they continue their education in Dallas ISD.
DISCUSSION

In accordance with Texas Education Code, Sections 13.054 and 39.131(a)(10), the Commissioner of Education is authorized, by order, to annex to one or more adjoining districts a school district that has been rated as academically unacceptable for a period of two years. The Wilmer Hutchins Independent School District has been rated as academically unacceptable/low performing for a period of two years. In the 2004-05 school year TEA conducted an on-site investigation of WHISD and issued an investigative report that found, substantial teacher misconduct and widespread testing irregularities at several WHISD schools. Based on the findings in the investigative report, WHISD's 2003-04 accountability rating was lowered to Academically Unacceptable and a board of managers was assigned to the district in accordance with TEC §39.131(a)(9). Based on student test scores, WHISD's accountability rating for the 2004-05 school year was again Academically Unacceptable. Therefore, pursuant to §39.131(a)(4), the Commissioner is authorized by TEC §13.054(c), to take appropriate action.

ORDER

1. The legal boundary of the Dallas ISD, as enlarged is contained entirely within Dallas County, Texas. The metes and bounds descriptions of Dallas ISD and Wilmer-Hutchins ISD are attached and hereby incorporated into this order.

2. The governing board for the Dallas ISD is the governing board for the new district. Texas Education Code, §13.054(b), provides that the governing board of a district to which territory is annexed is the governing board for the new district.

3. Title to the real property of the Wilmer Hutchins ISD vests in the Dallas ISD as of the effective date of the annexation. The Dallas ISD assumes, and is liable for the indebtedness of Wilmer Hutchins ISD as of July 1, 2006, the
effective date of this order. Tex. Educ. Code §13.054(d) and 13.005. Pursuant to Subsection 13.054(g), Texas Education Code, Dallas ISD will be entitled to additional state financial aid to the extent that debts assumed exceed the appraised value of facilities owned by Wilmer Hutchins ISD.

4. Upon request of the Dallas ISD board of trustees, the commissioner will grant a waiver pursuant to Section 7.056, Texas Education Code to apply the Incentive Aid provisions of Subchapter G, Chapter 13, Education Code to Dallas ISD for the 2006-2007 and 2007-2008 school years, not to exceed a net revenue gain to Dallas ISD from enrollment of students formerly residing in WHISD equal to the revenue per student guaranteed to all Texas school districts at the maximum tax rate authorized for state aid.

5. This order is expressly conditioned upon preclearance of the annexation by the United States Department of Justice under the provisions of the Voting Rights Act.

SIGNED AND ISSUED this 7th day of October, 2005.

SHIRLEY J. NEELEY
COMMISSIONER OF EDUCATION