

November 30, 2005

Assistant Secretary Henry L. Johnson
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW, Suite 3W305
Washington, DC 20202

Dear Dr. Johnson:

Enclosed is the flexibility agreement regarding Texas' inclusion of students with disabilities in the calculation of Adequate Yearly Progress (AYP). I have signed this agreement with the understanding that, per your email of November 23, 2004, and our telephone conversation of November 22, 2005, the U.S. Department of Education (USDE) will not withhold 8% of Texas' Title I, Part A administrative funds due to USDE monitoring findings. Instead, Texas will be instructed to direct these funds toward educating students displaced by Hurricanes Katrina and Rita.

Henry, thank you for going above and beyond the call of duty to bring closure to the USDE and Texas agreement. I appreciate your continued support and friendship!

Sincerely,


Shirley J. Neeley