

**In The Matter Of:**  
*Department of Education*  
*Newark Charter School*

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*Hearing*  
*March 9, 2020*

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DEPARTMENT OF EDUCATION - CHARTER SCHOOLS

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IN RE: NEWARK CHARTER SCHOOL MODIFICATION  
2020-82313

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Hearing held in the above matter, taken pursuant to notice at the State of Delaware, Office of the Attorney General, Carvel State Office Building, 820 North French Street, 3rd Floor, Wilmington Delaware, 19801 on Monday, March 9, 2020, beginning at 5:00 p.m., before Patrick J. O'Hare, RPR, and Notary Public.

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## 1 APPEARANCES:

2 CHARTER SCHOOL OFFICE AT  
3 DELAWARE DEPARTMENT OF EDUCATION  
4 BY: LEROY TRAVERS,  
5 LEAD EDUCATION ASSOCIATE  
6 401 Federal Street, Suite 2  
7 Dover, DE 19901

8 STATE OF DELAWARE  
9 OFFICE OF THE ATTORNEY GENERAL  
10 BY: DARRYL PARSON, ESQ.  
11 Carvel State Office Building  
12 820 North French Street  
13 Wilmington, DE 19801  
14 302-577-4203

15 DELAWARE DEPARTMENT OF EDUCATION  
16 BY: JENNA AHNER,  
17 EXECUTIVE DIRECTOR  
18 The Townsend Building  
19 401 Federal Street, Suite 2  
20 Dover, DE 19901-3639  
21 302-735-4000  
22 jenna.ahner@sbe.k12.de.us

## 23 ALSO PRESENT:

24 JOANNE SCHLOSBERG,  
BUSINESS MANAGER AT NEWARK CHARTER SCHOOL

FRANKLIN NEWTON,  
SCHOOL DIRECTOR AT NEWARK CHARTER SCHOOL



1 MR. TRAVERS: Good evening. I 16:15:08  
2 declare this public hearing to be open. 16:15:10  
3 My name is Leroy Travers. I'm 16:15:11  
4 the Lead Education Associate with the 16:15:14  
5 Charter School Office and I have been 16:15:16  
6 appointed by the Secretary of Education to 16:15:17  
7 conduct this public hearing. 16:15:18  
8 Newark Charter School has filed 16:15:20  
9 an application to modify its charter to 16:15:22  
10 incrementally increase its approved 16:15:22  
11 enrollment from 2,470 to 3,155 by school 16:15:22  
12 year 2025-2026. 16:15:22  
13 They would like to build a 16:15:37  
14 Junior High School on land currently owned 16:15:38  
15 by the school, renovate their current 16:15:40  
16 Primary and Intermediate Schools with an 16:15:43  
17 addition, and renovate the physical 16:15:45  
18 activity and athletic field spaces on both 16:15:45  
19 campuses to meet their enhanced needs. 16:15:49  
20 As is required by law, this 16:15:51  
21 matter was referred to Charter School 16:15:52  
22 Accountability Committee for investigation 16:15:55  
23 and report. This joint public hearing is 16:15:56  
24 being held by the Department of Education 16:15:58



1 and the State Board of Education. 16:16:00

2 At this time, I will allow the 16:16:02

3 others to be able to introduce themselves. 16:16:04

4 MS. AHNER: Jenna Ahner, 16:16:06

5 Executive Director of the State Board of 16:16:07

6 Education. 16:16:09

7 MR. PARSON: Darryl Parson, 16:16:10

8 Deputy Attorney General for the Department 16:16:11

9 of Justice. 16:16:12

10 MR. TRAVERS: I would like the 16:16:14

11 record to reflect that the notice of the 16:16:14

12 time, date, and place of today's public 16:16:16

13 hearing was published at the Charter 16:16:18

14 School Accountability Committee's official 16:16:19

15 place of business, on the Department of 16:16:21

16 Education's official website, and on the 16:16:23

17 State Public Meeting Calendar on the 16:16:25

18 State's official website. 16:16:26

19 A court reporter is present so 16:16:28

20 that a record of this hearing can be made. 16:16:30

21 It will be necessary for each speaker to 16:16:32

22 clearly identify his or herself before 16:16:34

23 beginning to speak so that the court 16:16:37

24 reporter will be able to note who you are. 16:16:39



1           The record of this hearing will           16:16:41  
2   be provided to the Secretary of Education       16:16:42  
3   and members of the State Board of           16:16:44  
4   Education, together with any written or       16:16:46  
5   electronic comments received during the       16:16:48  
6   renewal decision process.                   16:16:50

7           To date, comments received on           16:16:51  
8   this renewal application are posted on the       16:16:53  
9   Charter School Office's website.           16:16:56

10          We will proceed in the           16:16:58  
11   following manner: First, we will hear       16:16:59  
12   from representatives of the charter school       16:17:00  
13   who wish to comment on the renewal           16:17:03  
14   application. Unless otherwise waived by       16:17:05  
15   the presiding officer, charter school       16:17:07  
16   representatives shall be limited to 15       16:17:09  
17   minutes in total.                           16:17:11

18          Next, we will take comments           16:17:12  
19   from the public. There are sign up sheets       16:17:13  
20   on the second table on the floor. If you       16:17:16  
21   desire to speak, and have not signed up,     16:17:20  
22   please do so now. Those that have not       16:17:22  
23   signed up will not be permitted to speak     16:17:24  
24   and instead will be asked to submit       16:17:26



1 written comment. 16:17:28

2 I reserve the right to impose 16:17:32

3 reasonable time, place, and manner 16:17:33

4 restrictions if the speakers prevent this 16:17:35

5 hearing from accomplishing its goal in a 16:17:38

6 reasonable manner. This hearing's purpose 16:17:40

7 is strictly to collect public comment. 16:17:43

8 Questions of the Department of Education 16:17:46

9 or the State Board of Education are not 16:17:48

10 permitted and will not be acknowledged. 16:17:50

11 At this point, the committee 16:17:52

12 will accept comments from any school 16:17:53

13 representatives. 16:17:55

14 MR. NEWTON: Thank you. 16:17:55

15 Good afternoon. I'm Dr. Frank 16:17:57

16 Newton, it's my honor to be here in the 16:18:00

17 role as School Director for Newark Charter 16:18:02

18 School, and I have a prepared statement. 16:18:05

19 So, I'll just read that, and then I'll 16:18:06

20 hand it to the court reporter, as well. 16:18:08

21 We at Newark Charter School are 16:18:10

22 happy to make public comment and share our 16:18:10

23 school's story in consideration of our 16:18:10

24 request for modification to our school's 16:18:10



1 charter. We at NCS are proud to be a part 16:18:10  
2 of Delaware public education landscape for 16:18:12  
3 the last 19 years and leaders in the 16:18:12  
4 success of charter schools in our state. 16:18:12  
5 As a highly successful charter 16:18:12  
6 school, our charter was renewed effective 16:18:12  
7 July, 2019, for a 10-year term and 16:18:31  
8 therefore is in effect until June 30, 16:18:32  
9 2029. It is an honor for us to have been 16:18:35  
10 recognized and to be one of only two 16:18:38  
11 charter schools in the state to receive a 16:18:40  
12 10-year renewal. 16:18:41  
13 What we are seeking, as 16:18:43  
14 Mr. Travers said, in our modification 16:18:45  
15 request is to increase our enrollment from 16:18:47  
16 190 students per grade to 242 students per 16:18:50  
17 grade, K through 3 and 243 students per 16:18:52  
18 grade, 4 through 12. This increase would 16:18:57  
19 begin in school year 2022-23 and would be 16:18:57  
20 complete in school year '25-'26. 16:19:01  
21 Additionally, we're requesting 16:19:04  
22 to renovate our current primary and 16:19:05  
23 intermediate school buildings to allow for 16:19:08  
24 additional space and utilizing an 16:19:08





1 economies of scale approach to some of our 16:19:11  
2 facilities and functions. We are also 16:19:13  
3 requesting the authorization to build a 16:19:15  
4 stand-alone Junior High School that will 16:19:16  
5 house 6th, 7th, and 8th grade students. 16:19:18  
6 Finally, this modification also 16:19:21  
7 details plans for enhancements to our 16:19:23  
8 physical activity and athletic fields to 16:19:25  
9 meet the needs of our students. 16:19:27  
10 I have lived in Newark for 27 16:19:28  
11 years and have been active in our 16:19:30  
12 community throughout that time. Having 16:19:31  
13 been involved at Newark Charter School for 16:19:33  
14 the past 13 years as a parent, a board 16:19:35  
15 member, board chairperson, and now as head 16:19:38  
16 of school, I have seen the positive impact 16:19:40  
17 that NCS has had on our families 16:19:42  
18 individually and our communities 16:19:44  
19 collectively. 16:19:47  
20 I've witnessed firsthand the 16:19:47  
21 hard work and dedication of our students, 16:19:49  
22 parents, teachers, and staff who took our 16:19:51  
23 school from an idea...to a middle school 16:19:55  
24 spending its first two years in rented 16:19:56



1	trailers... to a three-building, multi	16:19:58
2	campus school of 2412 students currently	16:20:00
3	in Kindergarten through grade 12.	16:20:04
4	Like our other charter schools	16:20:06
5	in Delaware, Newark Charter School	16:20:06
6	demonstrates what can be accomplished when	16:20:08
7	autonomy, accountability, and choice	16:20:11
8	combine with inspiration, innovation, and	16:20:12
9	commitment to meet the needs of the	16:20:15
10	communities we are chartered to serve.	16:20:16
11	During the previous	16:20:19
12	modifications and renewal processes, our	16:20:19
13	school has done what we said we would do,	16:20:22
14	did it to the best of our ability, and	16:20:24
15	delivered positive results, excellent	16:20:25
16	outcomes, and performance. Our track	16:20:27
17	record since our initial charter	16:20:29
18	approval, April 20th of 2000, has been	16:20:31
19	unswervingly strong.	16:20:34
20	The past almost two decades of	16:20:35
21	success, we believe, positions us well for	16:20:37
22	continued success during the next decades.	16:20:40
23	To see some of the strongest evidence to	16:20:43
24	support this modification request, one	16:20:45



1	need only look to the objective data of	16:20:46
2	our organizational stability, consistently	16:20:48
3	high levels of community demand, our	16:20:51
4	demonstrated track record of fiscal and	16:20:53
5	managerial fidelity, and most importantly,	16:20:57
6	our students' academic success. A review	16:20:57
7	of these metrics predicts a continued	16:21:00
8	bright and promising future and encourages	16:21:02
9	positive support of our modification	16:21:04
10	request.	16:21:06
11	Our finances are strong. We	16:21:07
12	have operated in the black every year.	16:21:08
13	Our financial projections show a positive	16:21:10
14	balance during each year of the renewal	16:21:13
15	period and through this expansion as we	16:21:15
16	look. External audits conducted each year	16:21:18
17	reveal no audit findings. Standard &	16:21:20
18	Poor's has given our school its highest	16:21:24
19	bond rating for charter school finances	16:21:24
20	and management, which places it among the	16:21:26
21	top five charter schools in the nation.	16:21:27
22	We have met all standards on the	16:21:29
23	Department's Financial Framework every	16:21:32
24	year, including this year.	16:21:33



1	Our market demand is strong.	16:21:34
2	We have achieved a capacity enrollment,	16:21:36
3	with a waiting list, every year since we	16:21:38
4	opened in 2001. For many years including	16:21:39
5	this year, our waiting list is typically	16:21:42
6	more than 3,000 students long. Student	16:21:44
7	attrition is less than one percent.	16:21:47
8	Our constituent satisfaction is	16:21:49
9	also high. Our School Council surveys	16:21:51
10	parents each year. These surveys show	16:21:53
11	that the rate of parent satisfaction with	16:21:56
12	the school is consistently between 98 and	16:21:58
13	100 percent. Our teachers and staff, too,	16:21:59
14	are satisfied. Several times, the News	16:22:02
15	Journal named Newark Charter School a "Top	16:22:04
16	Workplace" award winner based on	16:22:06
17	employee-reported satisfaction. Teacher	16:22:08
18	and staff turnover is extremely low.	16:22:09
19	Our operations are excellent.	16:22:13
20	Our attendance rate is high and our	16:22:14
21	discipline rate is low. On the	16:22:16
22	Organizational Framework, the measuring	16:22:17
23	tool used to evaluate charter school	16:22:19
24	operations and compliance issues, Newark	16:22:21



1	Charter School has met the standard in	16:22:23
2	every category, every year. This year we	16:22:24
3	again achieved a 100 percent rating on the	16:22:26
4	Organizational Framework.	16:22:29
5	Robust enrollment, satisfied	16:22:30
6	constituents, high retention, excellent	16:22:32
7	financials, and solid operations are	16:22:35
8	meaningless without student success. Our	16:22:37
9	most recent academic framework shows that	16:22:39
10	we got an "exceeds expectations" in EVERY	16:22:41
11	category. Additionally, we are proud of	16:22:43
12	the other recognitions of our students'	16:22:45
13	accomplishments including: being named a	16:22:47
14	National Blue Ribbon School-twice,	16:22:49
15	citations by the Department of Education	16:22:50
16	as a Superior School, a Reward School,	16:22:52
17	Recognition School, a School of Continued	16:22:55
18	Excellence, and a National Distinguished	16:22:57
19	Title I School, just to name a few.	16:22:59
20	Our students in all grades	16:23:01
21	consistently rank in the highest levels on	16:23:03
22	state testing in Math and ELA. Since the	16:23:05
23	beginning of our high school in 2013, our	16:23:07
24	students have also performed exceptionally	16:23:09



1	on the SAT and PSAT with some of the	16:23:11
2	highest scores in the state. 100 percent	16:23:14
3	of the students in our three graduating	16:23:16
4	classes have been accepted into colleges	16:23:18
5	and universities all over the country.	16:23:19
6	Our current class is on track to continue	16:23:21
7	that success.	16:23:23
8	Closer inspection of the data	16:23:25
9	reveals more good news. When the data are	16:23:27
10	disaggregated by sub-populations (such as	16:23:31
11	race, low-income, English Language	16:23:31
12	Learners, and special education) our	16:23:33
13	students' performance tends to be higher	16:23:35
14	than the state average for all students.	16:23:36
15	Newark Charter School is a	16:23:39
16	public school that welcomes students	16:23:40
17	regardless of their backgrounds or	16:23:43
18	abilities. Students are admitted through	16:23:43
19	a lottery only, as intended by Delaware	16:23:46
20	law. For many years, our outreach	16:23:47
21	committee made up of parents and teachers	16:23:50
22	has continued to increase our outreach to	16:23:51
23	all communities within the greater Newark	16:23:53
24	community. This outreach to a vast number	16:23:53



1	of Newark groups and community members has	16:23:59
2	allowed for a greater diversity in the	16:23:59
3	pool of applicants and therefore in the	16:24:01
4	resulting entering class and the students	16:24:02
5	to our school.	16:24:04
6	Our percentage of minority	16:24:06
7	students has increased every year for 19	16:24:08
8	consecutive years. Our student diversity	16:24:09
9	is more than representative of the Newark	16:24:11
10	area and closely mirrors the population of	16:24:13
11	New Castle County, Delaware. When we	16:24:16
12	opened our doors in fall of 2001, our	16:24:17
13	student body was 84.5 percent Caucasian --	16:24:20
14	this year, it was 64.4 percent. As stated	16:24:23
15	previously, due to our commitment and	16:24:28
16	outreach, our entering classes continue to	16:24:28
17	become more diverse and fully	16:24:30
18	representative of our community. This	16:24:32
19	year, the entering Kindergarten cohort was	16:24:33
20	50.8 percent Caucasian.	16:24:36
21	Our students are representative	16:24:38
22	of the area we are chartered to serve and	16:24:41
23	also represent a range of all learning	16:24:43
24	abilities. We currently have 203 children	16:24:45



1	with IEP's and 162 students with 504	16:24:48
2	Accommodation Plans. Our population of	16:24:50
3	students with Intense or Complex	16:24:52
4	disabilities has grown steadily every year	16:24:54
5	and we are educating students in A, B, and	16:24:56
6	C settings throughout all grade levels.	16:24:59
7	We are proud that the National Association	16:25:02
8	of Special Education Teachers has named	16:25:03
9	Newark Charter School an "Exceptional	16:25:05
10	Charter School in Special Education" for	16:25:07
11	the last several years.	16:25:08
12	What distinguishes Newark	16:25:10
13	Charter School is evident to anyone who	16:25:11
14	has visited. We are a community of	16:25:14
15	learners who share a common vision of what	16:25:15
16	excellence looks like for each and every	16:25:16
17	student. We pull together in the same	16:25:18
18	direction, every day, to achieve that	16:25:20
19	vision. We have never strayed from our	16:25:22
20	mission and core values, which are as	16:25:26
21	vital today as when the school was first	16:25:26
22	conceived.	16:25:28
23	We are grateful to the Delaware	16:25:30
24	Department of Education, the State Board	16:25:31





1	of Ed. for having faith in Newark Charter	16:25:32
2	School from the start, and for being an	16:25:34
3	essential part of our growth and continued	16:25:36
4	success over the last 19 years. Working	16:25:37
5	together, we have created something	16:25:40
6	special, and in doing so, we have changed	16:25:41
7	the lives of literally thousands of young	16:25:43
8	people.	16:25:45
9	Authorizing our current request	16:25:47
10	will allow more Delaware children the	16:25:48
11	opportunity to benefit from all that we	16:25:51
12	have created together. It will also	16:25:52
13	provide an enhancement to the	16:25:54
14	opportunity-by empowering us to build a	16:25:56
15	junior high school that will let our 6th,	16:25:58
16	7th, and 8th grade students have a	16:26:00
17	distinct junior high school experience in	16:26:01
18	preparation to continue on to high school	16:26:03
19	and beyond.	16:26:06
20	Additionally, renovations to	16:26:06
21	our primary and intermediate buildings	16:26:08
22	will allow us to better serve those	16:26:10
23	students while providing enhanced	16:26:11
24	opportunities for their physical	16:26:13



1 education, play and athletics needs with 16:26:14  
2 enhanced fields and facilities. 16:26:14

3 High quality public schools are 16:26:18  
4 exactly what Delaware is working hard to 16:26:19  
5 accomplish. Expansion of enrollment in 16:26:21  
6 high quality charter schools like Newark 16:26:23  
7 Charter School is one of the easiest, 16:26:26  
8 low-risk, low-cost ways to do that. This 16:26:28  
9 opinion is shared by the U.S. Department 16:26:30  
10 of Education, the National Governors' 16:26:32  
11 Association, the National Association of 16:26:34  
12 Public Charter Schools, and many others. 16:26:37

13 I urge approval of Newark 16:26:39  
14 Charter School's modification application. 16:26:41  
15 This will allow us to provide a high 16:26:42  
16 quality experience for even more students. 16:26:44

17 Thank you. 16:26:47

18 MR. TRAVERS: Do the school 16:26:48  
19 representatives want to speak? 16:26:52

20 MS. AHNER: No. 16:26:52

21 MR. TRAVERS: At this point, 16:26:54  
22 the committee will accept comments from 16:26:55  
23 anyone else who has signed up to speak. 16:26:56  
24 Please remember to identify yourself 16:26:59



1 before you begin your comments. 16:27:00  
2 (No response.) 16:27:03  
3 MR. TRAVERS: No? Okay. 16:27:05  
4 I want to thank you all for 16:27:06  
5 participating today. The secretary will 16:27:07  
6 consider your comments in deciding, at the 16:27:09  
7 conclusion of the renewal process, what 16:27:11  
8 decision to submit to the State Board or 16:27:13  
9 set. This hearing is now closed. 16:27:17  
10 (Proceedings concluded at 5:12  
11 p.m.)  
12  
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CERTIFICATE

I, Patrick J. O'Hare, RPR, do hereby certify that the aforesaid pages Numbered 1 through 18 contain a true and correct transcription of the proceedings as stenographically reported by me at the hearing in the above cause, on the date therein indicated.

IN WITNESS WHEREOF I have hereunto set my hand at Wilmington, this 16th day of March, 2020.

/S/-----

Patrick J. O'Hare, RPR

16:16:19

16:16:19

<b>A</b>	7:24	14:10,22	<b>become (1)</b> 14:17
	<b>Additionally (3)</b>	<b>asked (1)</b>	<b>before (2)</b> 4:22 18:1
<b>abilities (2)</b> 13:18 14:24	7:21 12:11 16:20	5:24	<b>begin (2)</b> 7:19 18:1
<b>ability (1)</b> 9:14	<b>admitted (1)</b> 13:18	<b>Associate (1)</b> 3:4	<b>beginning (2)</b> 4:23 12:23
<b>able (2)</b> 4:3,24	<b>afternoon (1)</b> 6:15	<b>Association (3)</b> 15:7 17:11,11	<b>being (3)</b> 3:24 12:13 16:2
<b>academic (2)</b> 10:6 12:9	<b>again (1)</b> 12:3	<b>athletic (2)</b> 3:18 8:8	<b>believe (1)</b> 9:21
<b>accept (2)</b> 6:12 17:22	<b>AHNER (3)</b> 4:4,4 17:20	<b>athletics (1)</b> 17:1	<b>benefit (1)</b> 16:11
<b>accepted (1)</b> 13:4	<b>allow (5)</b> 4:2 7:23 16:10,22	<b>attendance (1)</b> 11:20	<b>best (1)</b> 9:14
<b>Accommodation (1)</b> 15:2	17:15	<b>Attorney (1)</b> 4:8	<b>better (1)</b> 16:22
<b>accomplish (1)</b> 17:5	<b>allowed (1)</b> 14:2	<b>attrition (1)</b> 11:7	<b>between (1)</b> 11:12
<b>accomplished (1)</b> 9:6	<b>almost (1)</b> 9:20	<b>audit (1)</b> 10:17	<b>beyond (1)</b> 16:19
<b>accomplishing (1)</b> 6:5	<b>also (6)</b> 8:2,6 11:9 12:24	<b>audits (1)</b> 10:16	<b>black (1)</b> 10:12
<b>accomplishments (1)</b> 12:13	14:23 16:12	<b>authorization (1)</b> 8:3	<b>Blue (1)</b> 12:14
<b>Accountability (3)</b> 3:22 4:14 9:7	<b>among (1)</b> 10:20	<b>Authorizing (1)</b> 16:9	<b>Board (8)</b> 4:1,5 5:3 6:9 8:14, 15 15:24 18:8
<b>achieve (1)</b> 15:18	<b>anyone (2)</b> 15:13 17:23	<b>autonomy (1)</b> 9:7	<b>body (1)</b> 14:13
<b>achieved (2)</b> 11:2 12:3	<b>applicants (1)</b> 14:3	<b>average (1)</b> 13:14	<b>bond (1)</b> 10:19
<b>acknowledged (1)</b> 6:10	<b>application (4)</b> 3:9 5:8,14 17:14	<b>award (1)</b> 11:16	<b>both (1)</b> 3:18
<b>active (1)</b> 8:11	<b>appointed (1)</b> 3:6	<b>B</b>	<b>bright (1)</b> 10:8
<b>activity (2)</b> 3:18 8:8	<b>approach (1)</b> 8:1	<b>backgrounds (1)</b> 13:17	<b>build (3)</b> 3:13 8:3 16:14
<b>addition (1)</b> 3:17	<b>approval (2)</b> 9:18 17:13	<b>balance (1)</b> 10:14	<b>buildings (2)</b>
<b>additional (1)</b>	<b>approved (1)</b> 3:10	<b>based (1)</b> 11:16	
	<b>April (1)</b> 9:18		
	<b>area (2)</b>		

7:23 16:21 <b>business (1)</b> 4:15	13:6 14:4 <b>classes (2)</b> 13:4 14:16	<b>complete (1)</b> 7:20 <b>Complex (1)</b> 15:3 <b>compliance (1)</b> 11:24 <b>conceived (1)</b> 15:22 <b>concluded (1)</b> 18:10 <b>conclusion (1)</b> 18:7 <b>conduct (1)</b> 3:7 <b>conducted (1)</b> 10:16 <b>consecutive (1)</b> 14:8 <b>consider (1)</b> 18:6 <b>consideration (1)</b> 6:23 <b>consistently (3)</b> 10:2 11:12 12:21 <b>constituent (1)</b> 11:8 <b>constituents (1)</b> 12:6 <b>continue (3)</b> 13:6 14:16 16:18 <b>continued (5)</b> 9:22 10:7 12:17 13:22 16:3 <b>core (1)</b> 15:20 <b>Council (1)</b> 11:9 <b>country (1)</b> 13:5 <b>County (1)</b>	14:11 <b>court (3)</b> 4:19,23 6:20 <b>created (2)</b> 16:5,12 <b>current (4)</b> 3:15 7:22 13:6 16:9 <b>currently (3)</b> 3:14 9:2 14:24
<b>C</b>	<b>clearly (1)</b> 4:22 <b>closed (1)</b> 18:9 <b>closely (1)</b> 14:10 <b>Closer (1)</b> 13:8 <b>cohort (1)</b> 14:19 <b>collect (1)</b> 6:7 <b>collectively (1)</b> 8:19 <b>colleges (1)</b> 13:4 <b>combine (1)</b> 9:8 <b>comment (4)</b> 5:13 6:1,7,22 <b>comments (7)</b> 5:5,7,18 6:12 17:22 18:1,6 <b>commitment (2)</b> 9:9 14:15 <b>Committee (4)</b> 3:22 6:11 13:21 17:22 <b>Committee's (1)</b> 4:14 <b>common (1)</b> 15:15 <b>communities (3)</b> 8:18 9:10 13:23 <b>community (6)</b> 8:12 10:3 13:24 14:1,18 15:14	<b>D</b>	<b>Darryl (1)</b> 4:7 <b>data (3)</b> 10:1 13:8,9 <b>date (2)</b> 4:12 5:7 <b>day (1)</b> 15:18 <b>decades (2)</b> 9:20,22 <b>deciding (1)</b> 18:6 <b>decision (2)</b> 5:6 18:8 <b>declare (1)</b> 3:2 <b>dedication (1)</b> 8:21 <b>Delaware (7)</b> 7:2 9:5 13:19 14:11 15:23 16:10 17:4 <b>delivered (1)</b> 9:15 <b>demand (2)</b> 10:3 11:1 <b>demonstrated (1)</b> 10:4 <b>demonstrates (1)</b>

9:6	<b>during (4)</b> 5:5 9:11,22 10:14	13:11	4:5
<b>Department (7)</b> 3:24 4:8,15 6:8 12:15 15:24 17:9	<b>E</b>	<b>enhanced (3)</b> 3:19 16:23 17:2	<b>expansion (2)</b> 10:15 17:5
<b>Department's (1)</b> 10:23	<b>each (5)</b> 4:21 10:14,16 11:10 15:16	<b>enhancement (1)</b> 16:13	<b>expectations (1)</b> 12:10
<b>Deputy (1)</b> 4:8	<b>easiest (1)</b> 17:7	<b>enhancements (1)</b> 8:7	<b>experience (2)</b> 16:17 17:16
<b>desire (1)</b> 5:21	<b>economies (1)</b> 8:1	<b>enrollment (5)</b> 3:11 7:15 11:2 12:5 17:5	<b>External (1)</b> 10:16
<b>details (1)</b> 8:7	<b>Ed (1)</b> 16:1	<b>entering (3)</b> 14:4,16,19	<b>extremely (1)</b> 11:18
<b>direction (1)</b> 15:18	<b>educating (1)</b> 15:5	<b>essential (1)</b> 16:3	<b>F</b>
<b>Director (2)</b> 4:5 6:17	<b>Education (17)</b> 3:4,6,24 4:1,6 5:2, 4 6:8,9 7:2 12:15 13:12 15:8,10,24 17:1, 10	<b>evaluate (1)</b> 11:23	<b>facilities (2)</b> 8:2 17:2
<b>disabilities (1)</b> 15:4	<b>Education's (1)</b> 4:16	<b>even (1)</b> 17:16	<b>faith (1)</b> 16:1
<b>disaggregated (1)</b> 13:10	<b>effect (1)</b> 7:8	<b>evening (1)</b> 3:1	<b>fall (1)</b> 14:12
<b>discipline (1)</b> 11:21	<b>effective (1)</b> 7:6	<b>every (10)</b> 10:12,23 11:3 12:2, 2,10 14:7 15:4,16,18	<b>families (1)</b> 8:17
<b>distinct (1)</b> 16:17	<b>ELA (1)</b> 12:22	<b>evidence (1)</b> 9:23	<b>few (1)</b> 12:19
<b>Distinguished (1)</b> 12:18	<b>electronic (1)</b> 5:5	<b>evident (1)</b> 15:13	<b>fidelity (1)</b> 10:5
<b>distinguishes (1)</b> 15:12	<b>else (1)</b> 17:23	<b>exactly (1)</b> 17:4	<b>field (1)</b> 3:18
<b>diverse (1)</b> 14:17	<b>employee-reported (1)</b> 11:17	<b>exceeds (1)</b> 12:10	<b>fields (2)</b> 8:8 17:2
<b>diversity (2)</b> 14:2,8	<b>empowering (1)</b> 16:14	<b>Excellence (2)</b> 12:18 15:16	<b>filed (1)</b> 3:8
<b>done (1)</b> 9:13	<b>encourages (1)</b> 10:8	<b>excellent (3)</b> 9:15 11:19 12:6	<b>Finally (1)</b> 8:6
<b>doors (1)</b> 14:12	<b>English (1)</b>	<b>Exceptional (1)</b> 15:9	<b>finances (2)</b> 10:11,19
<b>Dr (1)</b> 6:15		<b>exceptionally (1)</b> 12:24	<b>financial (2)</b> 10:13,23
<b>due (1)</b> 14:15		<b>Executive (1)</b>	<b>financials (1)</b> 12:7

<b>findings (1)</b> 10:17	<b>grades (1)</b> 12:20	<b>higher (1)</b> 13:13	13:8
<b>First (3)</b> 5:11 8:24 15:21	<b>graduating (1)</b> 13:3	<b>highest (3)</b> 10:18 12:21 13:2	<b>inspiration (1)</b> 9:8
<b>firsthand (1)</b> 8:20	<b>grateful (1)</b> 15:23	<b>highly (1)</b> 7:5	<b>instead (1)</b> 5:24
<b>fiscal (1)</b> 10:4	<b>greater (2)</b> 13:23 14:2	<b>honor (2)</b> 6:16 7:9	<b>intended (1)</b> 13:19
<b>five (1)</b> 10:21	<b>groups (1)</b> 14:1	<b>house (1)</b> 8:5	<b>Intense (1)</b> 15:3
<b>floor (1)</b> 5:20	<b>grown (1)</b> 15:4	<b>I</b>	<b>Intermediate (3)</b> 3:16 7:23 16:21
<b>following (1)</b> 5:11	<b>growth (1)</b> 16:3		<b>introduce (1)</b> 4:3
<b>Framework (4)</b> 10:23 11:22 12:4,9	<b>H</b>	<b>ideato (1)</b> 8:23	<b>investigation (1)</b> 3:22
<b>Frank (1)</b> 6:15		<b>identify (2)</b> 4:22 17:24	<b>involved (1)</b> 8:13
<b>fully (1)</b> 14:17	<b>hand (1)</b> 6:20	<b>IEP's (1)</b> 15:1	<b>issues (1)</b> 11:24
<b>functions (1)</b> 8:2	<b>happy (1)</b> 6:22	<b>impact (1)</b> 8:16	<b>J</b>
<b>future (1)</b> 10:8	<b>hard (2)</b> 8:21 17:4	<b>importantly (1)</b> 10:5	
<b>G</b>	<b>head (1)</b> 8:15	<b>impose (1)</b> 6:2	<b>Jenna (1)</b> 4:4
	<b>hear (1)</b> 5:11	<b>including (3)</b> 10:24 11:4 12:13	<b>joint (1)</b> 3:23
<b>General (1)</b> 4:8	<b>hearing (8)</b> 3:2,7,23 4:13,20	<b>increase (4)</b> 3:10 7:15,18 13:22	<b>Journal (1)</b> 11:15
<b>given (1)</b> 10:18	<b>hearing's (1)</b> 6:6	<b>increased (1)</b> 14:7	<b>July (1)</b> 7:7
<b>goal (1)</b> 6:5	<b>held (1)</b> 3:24	<b>incrementally (1)</b> 3:10	<b>June (1)</b> 7:8
<b>Good (3)</b> 3:1 6:15 13:9	<b>herself (1)</b> 4:22	<b>individually (1)</b> 8:18	<b>Junior (4)</b> 3:14 8:4 16:15,17
<b>Governors' (1)</b> 17:10	<b>High (13)</b> 3:14 8:4 10:3 11:9, 20 12:6,23 16:15,17, 18 17:3,6,15	<b>initial (1)</b> 9:17	<b>Justice (1)</b> 4:9
<b>grade (7)</b> 7:16,17,18 8:5 9:3 15:6 16:16		<b>innovation (1)</b> 9:8	<b>K</b>
		<b>inspection (1)</b>	



9:3 14:19	<b>look (2)</b>	3:19 8:9 9:9	<b>named (3)</b>
<b>L</b>	10:1,16	<b>Meeting (1)</b>	11:15 12:13 15:8
	<b>looks (1)</b>	4:17	<b>nation (1)</b>
<b>land (1)</b>	15:16	<b>member (1)</b>	10:21
3:14	<b>lottery (1)</b>	8:15	<b>National (5)</b>
<b>landscape (1)</b>	13:19	<b>members (2)</b>	12:14,18 15:7
7:2	<b>low (2)</b>	5:3 14:1	17:10,11
<b>Language (1)</b>	11:18,21	<b>met (2)</b>	<b>NCS (2)</b>
13:11	<b>low-cost (1)</b>	10:22 12:1	7:1 8:17
<b>last (3)</b>	17:8	<b>metrics (1)</b>	<b>necessary (1)</b>
7:3 15:11 16:4	<b>low-income (1)</b>	10:7	4:21
<b>law (2)</b>	13:11	<b>middle (1)</b>	<b>need (1)</b>
3:20 13:20	<b>low-risk (1)</b>	8:23	10:1
<b>Lead (1)</b>	17:8	<b>minority (1)</b>	<b>needs (4)</b>
3:4	<b>M</b>	14:6	3:19 8:9 9:9 17:1
<b>leaders (1)</b>		<b>minutes (1)</b>	<b>never (1)</b>
7:3	<b>made (2)</b>	5:17	15:19
<b>Learners (2)</b>	4:20 13:21	<b>mirrors (1)</b>	<b>New (1)</b>
13:12 15:15	<b>make (1)</b>	14:10	14:11
<b>learning (1)</b>	6:22	<b>mission (1)</b>	<b>Newark (17)</b>
14:23	<b>management (1)</b>	15:20	3:8 6:17,21 8:10,13
<b>Leroy (1)</b>	10:20	<b>modification (6)</b>	9:5 11:15,24 13:15,23
3:3	<b>managerial (1)</b>	6:24 7:14 8:6 9:24	14:1,9 15:9,12 16:1
<b>less (1)</b>	10:5	10:9 17:14	17:6,13
11:7	<b>manner (3)</b>	<b>modifications (1)</b>	<b>News (2)</b>
<b>levels (3)</b>	5:11 6:3,6	9:12	11:14 13:9
10:3 12:21 15:6	<b>many (3)</b>	<b>modify (1)</b>	<b>NEWTON (2)</b>
<b>limited (1)</b>	11:4 13:20 17:12	3:9	6:14,16
5:16	<b>market (1)</b>	<b>more (6)</b>	<b>Next (2)</b>
<b>list (2)</b>	11:1	11:6 13:9 14:9,17	5:18 9:22
11:3,5	<b>Math (1)</b>	16:10 17:16	<b>note (1)</b>
<b>literally (1)</b>	12:22	<b>most (2)</b>	4:24
16:7	<b>matter (1)</b>	10:5 12:9	<b>notice (1)</b>
<b>lived (1)</b>	3:21	<b>multi (1)</b>	4:11
8:10	<b>meaningless (1)</b>	9:1	<b>number (1)</b>
<b>lives (1)</b>	12:8	<b>N</b>	13:24
16:7	<b>measuring (1)</b>		<b>O</b>
<b>long (1)</b>	11:22	<b>name (2)</b>	
11:6	<b>meet (3)</b>	3:3 12:19	<b>objective (1)</b>

10:1 <b>Office (1)</b> 3:5 <b>officer (1)</b> 5:15 <b>Office's (1)</b> 5:9 <b>official (3)</b> 4:14,16,18 <b>one (4)</b> 7:10 9:24 11:7 17:7 <b>only (3)</b> 7:10 10:1 13:19 <b>open (1)</b> 3:2 <b>opened (2)</b> 11:4 14:12 <b>operated (1)</b> 10:12 <b>operations (3)</b> 11:19,24 12:7 <b>opinion (1)</b> 17:9 <b>opportunities (1)</b> 16:24 <b>opportunity (1)</b> 16:11 <b>opportunity-by (1)</b> 16:14 <b>organizational (3)</b> 10:2 11:22 12:4 <b>other (2)</b> 9:4 12:12 <b>others (2)</b> 4:3 17:12 <b>otherwise (1)</b> 5:14 <b>outcomes (1)</b> 9:16 <b>outreach (4)</b>	13:20,22,24 14:16 <b>over (2)</b> 13:5 16:4 <b>owned (1)</b> 3:14 <b>P</b> <b>parent (2)</b> 8:14 11:11 <b>parents (3)</b> 8:22 11:10 13:21 <b>PARSON (2)</b> 4:7,7 <b>part (2)</b> 7:1 16:3 <b>participating (1)</b> 18:5 <b>past (2)</b> 8:14 9:20 <b>people (1)</b> 16:8 <b>per (3)</b> 7:16,16,17 <b>percent (7)</b> 11:7,13 12:3 13:2 14:13,14,20 <b>percentage (1)</b> 14:6 <b>performance (2)</b> 9:16 13:13 <b>performed (1)</b> 12:24 <b>period (1)</b> 10:15 <b>permitted (2)</b> 5:23 6:10 <b>physical (3)</b> 3:17 8:8 16:24 <b>place (3)</b>	4:12,15 6:3 <b>places (1)</b> 10:20 <b>plans (2)</b> 8:7 15:2 <b>play (1)</b> 17:1 <b>please (2)</b> 5:22 17:24 <b>pm (1)</b> 18:11 <b>point (2)</b> 6:11 17:21 <b>pool (1)</b> 14:3 <b>Poor's (1)</b> 10:18 <b>population (2)</b> 14:10 15:2 <b>positions (1)</b> 9:21 <b>positive (4)</b> 8:16 9:15 10:9,13 <b>posted (1)</b> 5:8 <b>predicts (1)</b> 10:7 <b>preparation (1)</b> 16:18 <b>prepared (1)</b> 6:18 <b>present (1)</b> 4:19 <b>presiding (1)</b> 5:15 <b>prevent (1)</b> 6:4 <b>previous (1)</b> 9:11 <b>previously (1)</b>	14:15 <b>Primary (3)</b> 3:16 7:22 16:21 <b>proceed (1)</b> 5:10 <b>Proceedings (1)</b> 18:10 <b>process (2)</b> 5:6 18:7 <b>processes (1)</b> 9:12 <b>projections (1)</b> 10:13 <b>promising (1)</b> 10:8 <b>proud (3)</b> 7:1 12:11 15:7 <b>provide (2)</b> 16:13 17:15 <b>provided (1)</b> 5:2 <b>providing (1)</b> 16:23 <b>PSAT (1)</b> 13:1 <b>public (12)</b> 3:2,7,23 4:12,17 5:19 6:7,22 7:2 13:16 17:3,12 <b>published (1)</b> 4:13 <b>pull (1)</b> 15:17 <b>purpose (1)</b> 6:6 <b>Q</b> <b>quality (3)</b> 17:3,6,16
--	--	---	---

<b>Questions (1)</b> 6:8	<b>remember (1)</b> 17:24	<b>retention (1)</b> 12:6	17,19,23 13:15,16 14:5 15:9,10,13,21 16:2,15,17,18 17:7,18
<b>R</b>	<b>renewal (7)</b> 5:6,8,13 7:12 9:12 10:14 18:7	<b>reveal (1)</b> 10:17	<b>Schools (8)</b> 3:16 7:4,11 9:4 10:21 17:3,6,12
<b>race (1)</b> 13:11	<b>renewed (1)</b> 7:6	<b>reveals (1)</b> 13:9	<b>school's (3)</b> 6:23,24 17:14
<b>range (1)</b> 14:23	<b>renovate (3)</b> 3:15,17 7:22	<b>review (1)</b> 10:6	<b>School-twice (1)</b> 12:14
<b>rank (1)</b> 12:21	<b>renovations (1)</b> 16:20	<b>Reward (1)</b> 12:16	<b>scores (1)</b> 13:2
<b>rate (3)</b> 11:11,20,21	<b>rented (1)</b> 8:24	<b>Ribbon (1)</b> 12:14	<b>second (1)</b> 5:20
<b>rating (2)</b> 10:19 12:3	<b>report (1)</b> 3:23	<b>right (1)</b> 6:2	<b>Secretary (3)</b> 3:6 5:2 18:5
<b>read (1)</b> 6:19	<b>reporter (3)</b> 4:19,24 6:20	<b>Robust (1)</b> 12:5	<b>seeking (1)</b> 7:13
<b>reasonable (2)</b> 6:3,6	<b>represent (1)</b> 14:23	<b>role (1)</b> 6:17	<b>serve (3)</b> 9:10 14:22 16:22
<b>receive (1)</b> 7:11	<b>representative (3)</b> 14:9,18,21	<b>S</b>	<b>set (1)</b> 18:9
<b>received (2)</b> 5:5,7	<b>representatives (4)</b> 5:12,16 6:13 17:19	<b>said (2)</b> 7:14 9:13	<b>settings (1)</b> 15:6
<b>recent (1)</b> 12:9	<b>request (5)</b> 6:24 7:15 9:24 10:10 16:9	<b>same (1)</b> 15:17	<b>Several (2)</b> 11:14 15:11
<b>Recognition (1)</b> 12:17	<b>requesting (2)</b> 7:21 8:3	<b>SAT (1)</b> 13:1	<b>shall (1)</b> 5:16
<b>recognitions (1)</b> 12:12	<b>required (1)</b> 3:20	<b>satisfaction (3)</b> 11:8,11,17	<b>share (2)</b> 6:22 15:15
<b>recognized (1)</b> 7:10	<b>reserve (1)</b> 6:2	<b>satisfied (2)</b> 11:14 12:5	<b>shared (1)</b> 17:9
<b>record (5)</b> 4:11,20 5:1 9:17 10:4	<b>response (1)</b> 18:2	<b>scale (1)</b> 8:1	<b>sheets (1)</b> 5:19
<b>referred (1)</b> 3:21	<b>restrictions (1)</b> 6:4	<b>School (52)</b> 3:5,8,11,14,15,21 4:14 5:9,12,15 6:12, 17,18,21 7:6,19,20,23 8:4,13,16,23,23 9:2,5, 13 10:18,19 11:9,12, 15,23 12:1,16,16,17,	<b>show (2)</b> 10:13 11:10
<b>reflect (1)</b> 4:11	<b>resulting (1)</b> 14:4		<b>shows (1)</b> 12:9
<b>regardless (1)</b> 13:17	<b>results (1)</b> 9:15		<b>sign (1)</b> 5:19

<b>signed (3)</b> 5:21,23 17:23	6:18	11:9,10	15:21 18:5
<b>solid (1)</b> 12:7	<b>State's (1)</b> 4:18	<b>T</b>	<b>today's (1)</b> 4:12
<b>something (1)</b> 16:5	<b>steadily (1)</b> 15:4		<b>together (4)</b> 5:4 15:17 16:5,12
<b>space (1)</b> 7:24	<b>story (1)</b> 6:23	<b>table (1)</b> 5:20	<b>took (1)</b> 8:22
<b>spaces (1)</b> 3:18	<b>strayed (1)</b> 15:19	<b>Teacher (1)</b> 11:17	<b>tool (1)</b> 11:23
<b>speak (5)</b> 4:23 5:21,23 17:19, 23	<b>strictly (1)</b> 6:7	<b>teachers (4)</b> 8:22 11:13 13:21	<b>top (2)</b> 10:21 11:15
<b>speaker (1)</b> 4:21	<b>strong (3)</b> 9:19 10:11 11:1	<b>tends (1)</b> 13:13	<b>total (1)</b> 5:17
<b>speakers (1)</b> 6:4	<b>strongest (1)</b> 9:23	<b>term (1)</b> 7:7	<b>track (3)</b> 9:16 10:4 13:6
<b>special (4)</b> 13:12 15:8,10 16:6	<b>Student (5)</b> 11:6 12:8 14:8,13	<b>testing (1)</b> 12:22	<b>trailers (1)</b> 9:1
<b>spending (1)</b> 8:24	<b>students (23)</b> 15:17	<b>their (4)</b> 3:15,19 13:17 16:24	<b>TRAVERS (7)</b> 3:1,3 4:10 7:14
<b>stability (1)</b> 10:2	<b>submit (2)</b> 7:16,16,17 8:5,9,21	<b>themselves (1)</b> 4:3	17:18,21 18:3
<b>staff (3)</b> 8:22 11:13,18	<b>sub-populations (1)</b> 13:3,14,16,18 14:4,7, 21 15:1,3,5 16:16,23	<b>There (1)</b> 5:19	<b>turnover (1)</b> 11:18
<b>stand-alone (1)</b> 8:4	<b>students' (3)</b> 17:16	<b>therefore (2)</b> 7:8 14:3	<b>two (3)</b> 7:10 8:24 9:20
<b>Standard (2)</b> 10:17 12:1	<b>submit (2)</b> 5:24 18:8	<b>They (1)</b> 3:13	<b>typically (1)</b> 11:5
<b>standards (1)</b> 10:22	<b>success (7)</b> 7:4 9:21,22 10:6	<b>thousands (1)</b> 16:7	<b>U</b>
<b>start (1)</b> 16:2	<b>successful (1)</b> 7:5	<b>three (1)</b> 13:3	<b>universities (1)</b> 13:5
<b>State (12)</b> 4:1,5,17 5:3 6:9	<b>Superior (1)</b> 12:16	<b>three-building (1)</b> 9:1	<b>Unless (1)</b> 5:14
<b>stated (1)</b> 14:14	<b>support (2)</b> 9:24 10:9	<b>throughout (2)</b> 8:12 15:6	<b>unswervingly (1)</b> 9:19
<b>statement (1)</b>	<b>surveys (2)</b>	<b>times (1)</b> 11:14	<b>until (1)</b> 7:8
		<b>Title (1)</b> 12:19	<b>up (5)</b> 5:19,21,23 13:21
		<b>today (2)</b>	17:23

<b>urge (1)</b> 17:13	<b>witnessed (1)</b> 8:20	7:3 14:7 16:4 <b>190 (1)</b> 7:16	7:17 <b>3,000 (1)</b> 11:6
<b>used (1)</b> 11:23	<b>work (1)</b> 8:21		<b>3,155 (1)</b> 3:11
<b>utilizing (1)</b> 7:24	<b>Working (2)</b> 16:4 17:4	<b>2</b>	<b>30 (1)</b> 7:8
<b>V</b>	<b>Workplace (1)</b> 11:16	<b>2,470 (1)</b> 3:11	
<b>values (1)</b> 15:20	<b>written (2)</b> 5:4 6:1	<b>2000 (1)</b> 9:18	<b>4</b>
<b>vast (1)</b> 13:24	<b>Y</b>	<b>2001 (2)</b> 11:4 14:12	<b>4 (1)</b> 7:18
<b>vision (2)</b> 15:15,19	<b>year (17)</b> 3:12 7:19,20 10:12, 14,16,24,24 11:3,5,10 12:2,2 14:7,14,19 15:4	<b>2013 (1)</b> 12:23	<b>5</b>
<b>visited (1)</b> 15:14	<b>years (9)</b> 7:3 8:11,14,24 11:4 13:20 14:8 15:11 16:4	<b>2019 (1)</b> 7:7	<b>5:12 (1)</b> 18:10
<b>vital (1)</b> 15:21	<b>young (1)</b> 16:7	<b>2022-23 (1)</b> 7:19	<b>50.8 (1)</b> 14:20
<b>W</b>	<b>yourself (1)</b> 17:24	<b>2025-2026 (1)</b> 3:12	<b>504 (1)</b> 15:1
<b>waiting (2)</b> 11:3,5	<b>1</b>	<b>2029 (1)</b> 7:9	<b>6</b>
<b>waived (1)</b> 5:14	<b>100 (3)</b> 11:13 12:3 13:2	<b>203 (1)</b> 14:24	<b>64.4 (1)</b> 14:14
<b>ways (1)</b> 17:8	<b>10-year (2)</b> 7:7,12	<b>20th (1)</b> 9:18	<b>6th (2)</b> 8:5 16:15
<b>website (3)</b> 4:16,18 5:9	<b>12 (2)</b> 7:18 9:3	<b>2412 (1)</b> 9:2	<b>7</b>
<b>welcomes (1)</b> 13:16	<b>13 (1)</b> 8:14	<b>242 (1)</b> 7:16	<b>7th (2)</b> 8:5 16:16
<b>winner (1)</b> 11:16	<b>15 (1)</b> 5:16	<b>243 (1)</b> 7:17	<b>8</b>
<b>wish (1)</b> 5:13	<b>162 (1)</b> 15:1	<b>25-'26 (1)</b> 7:20	<b>84.5 (1)</b> 14:13
<b>within (1)</b> 13:23	<b>19 (3)</b>	<b>27 (1)</b> 8:10	<b>8th (2)</b> 8:5 16:16
<b>without (1)</b> 12:8		<b>3</b>	
		<b>3 (1)</b>	

<p style="text-align: center;"><b>9</b></p>			
<p><b>98 (1)</b> 11:12</p>			