



HOWARD SCHNAPP

2 set to take board seats

■ **Hempstead** district's request for a stay denied

■ **State** was asked to overturn election results

BY JO NAPOLITANO
jo.napolitano@newsday.com

The acting state commissioner of education has denied the Hempstead school district's request to delay the swearing-in of two women elected to the school board May 19.

Maribel Touré and Gwendolyn Jackson, the top two vote-getters in the election, are expected to take their seats next week on the five-member board.

Austin Graff, an attorney for the school district, said yesterday he was not disappointed by acting Commissioner Elizabeth Berlin's decision and referred to the system's fuller petition to the state, which seeks to overturn the election results.

Berlin's denial of the request for a stay "doesn't mean the ulti-

mate outcome will be affected," Graff said.

The women's attorney, Frederick K. Brewington of Hempstead, said he was pleased with the decision.

"The fact that no stay was granted is consistent with the lack of validity of the underlying claim," he said. "We look forward to putting the entire matter to rest."

School board president Lamont Johnson said earlier this week that the women would be sworn in at the board's reorganization meeting, scheduled Tuesday, unless the commissioner granted the stay.

Tina Urbaitis, the Education Department's appeals coordinator, in a July 1 letter to the school district's attorney, wrote, "The petition in the above referenced matter requests the issuance of a stay order by the commissioner of education. On behalf of the commissioner, this is to advise you that no stay order will be issued."

Touré and Jackson ran as a team in a contentious seven-person race for two at-large seats.

The district and board of education, in a petition to the state in early June, asked the education commissioner to overturn the election results and order a revote, citing allegations of electioneering, voter intimidation, fraud and misrepresentation by Touré and Jackson. They requested that the swearing-in of the two women be delayed until the petition was decided.

Touré and Jackson, through their attorney, denied the allegations, saying they ran a clean race. They opposed the request for a stay in a filing to the state.

Berlin leaves her post as acting commissioner on Monday. MaryEllen Elia, the new education commissioner who will take office that day, will decide the case as a whole, department spokesman Jonathan Burman said yesterday.

Brewington said he would file a full answer to the petitioners' claims next week. The district would have the chance to respond before the matter is decided by the new commissioner.



HOWARD SCHNAPP

Maribel Touré was elected to Hempstead school board May 19.

Gwendolyn Jackson also was a top vote-getter in the election.