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SOUTH JERSEY

Lawsuit filed over school's treatment of ailing boy

Wednesday, May 28, 2003

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By MATT KATZ
 Courier-Post Staff
 CAMDEN

The Woodlynne fifth-grader who says his rare skin disease was repeatedly mistreated by a school nurse filed a lawsuit Tuesday against the borough's school board and superintendent.

Steven Wark, 11, hasn't attended classes since May 12 and has instead been home-tutored for two hours each day. His doctor told the school district that the medical care Steven was getting at Woodlynne Public School aggravated his rare skin condition, epidermolysis bullosa. Therefore, the doctor said, Steven should no longer be in class.

Steven's disease causes open wounds all over his skin. Although his doctor said they should be covered only when they ooze, Steven's district-appointed nurse at the school dressed and wrapped his cuts, the boy said. That continued even after a lower court order directed otherwise.

The suit, filed in federal court here by attorney Jamie Epstein, alleges the district violated the U.S. Individuals with Disabilities Education Act, which mandates districts provide education for the physically handicapped. The board of education and Superintendent Warren Pross are named in the suit. A hearing is scheduled for today.

Jack Kennedy, an attorney for the district, said school officials couldn't comment on the suit.

Wark and his mother, Kelly Wark-Jankowski, are seeking \$10,000 in attorney fees related to the case, plus other unspecified damages. They're also requesting Steven be compensated for lost educational time.

More immediately, the family is demanding Steven be allowed to return to school without his wounds being subject to wrapping. They want the district fined \$10,000 for each day he's not allowed to return under those terms.

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Reach Matt Katz at (856) 486-2456 or mkatz@courierpostonline.com

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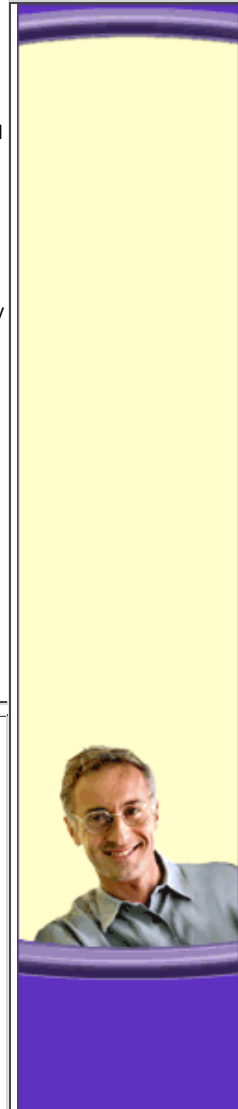
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