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Parent files suit against care center

By LIZ KEILL

SUMMIT – The mother of a five-year-old girl has filed a suit on Thursday, March 11, against Summit Area Child Care Centers, claiming negligence on the part of attendants and the staff.

The Berkeley Heights parent, whose name was not released, named the center, attendants Beth Thomas and Janet Scott and ABC Corporation in the complaint. The alleged incidents of negligence took place between September and November 1998 at the branch of the child care center located in Overlook Hospital on Beauvoir Avenue in Summit. The facility serves employees who work at Overlook.

The complaint, filed by attorney Eric D. Katz of Livingston, alleges negligence and lack of supervision by knowing about, but failing to take action in, alleged sexual touching by a four-year-old boy to the girl, who was also four years old at the time.

The suit, Mr. Katz emphasized, is not against the child but against the Summit Area Child Care Centers for not taking action.

The parent's complaint states a boy of the same age pulled the girl into an area of the center not visible to attendants, pulled down her tights and underwear and touched and kissed her in a sensitive area.

As a result of repeated incidents, the girl has suffered serious and per-

manent psychological and emotional harm, Mr. Katz said. "The girl is undergoing treatment by a psychologist," he said. "She could have permanent emotional injuries and trouble adjusting to male relationships later on."

After papers are filed, the Child Care Centers have 35 days to file an answer. Attorney John O'Reilly of Morristown, who represents Summit Area Child Care Centers, said, "We'll address it when we receive it." He said there is no basis for the complaint and there was no lack of supervision.

Attorney Katz said, "What's really intriguing to me is that the Summit Child Care Centers was accredited a couple of weeks ago. I'm amazed that something like this (negligence) could happen in Summit, New Jersey."

He said the response of the administration at the Child Care Centers was one of callous indifference. He added in December 1998 center administrators sent letters to parents whose children attend the Overlook branch, saying they may hear rumors, but not to believe them.

Since removing her daughter from the child care center, the mother had to leave her employment at Overlook Hospital, forfeiting income necessary to support her family, his complaint states.

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Suit alleges center's negligence

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The touching incidents occurred several times between September and November 1998 in an area where play clothes are kept, Mr. Katz said.

According to the complaint, the mother raised concerns about the physical layout of the day care center, particularly the unisex bath-

rooms without doors on the stalls and no adult supervision. In mid-November, Ms. Thomas, an attendant, told the parent she had spoken to the children about not playing in an unsupervised area.

Mr. Katz alleged the Child Care Centers administration demonstrated no sense of urgency in addressing the issue. One defendant, Ms. Scott,

attempted to diminish the severity of the problem, he said, telling the mother that children are naturally curious and urging her not to do anything rash.

"Despite having prior knowledge of prior incidents, defendants never took any action to separate the children or prevent further abuse," Mr. Katz said in the lawsuit.