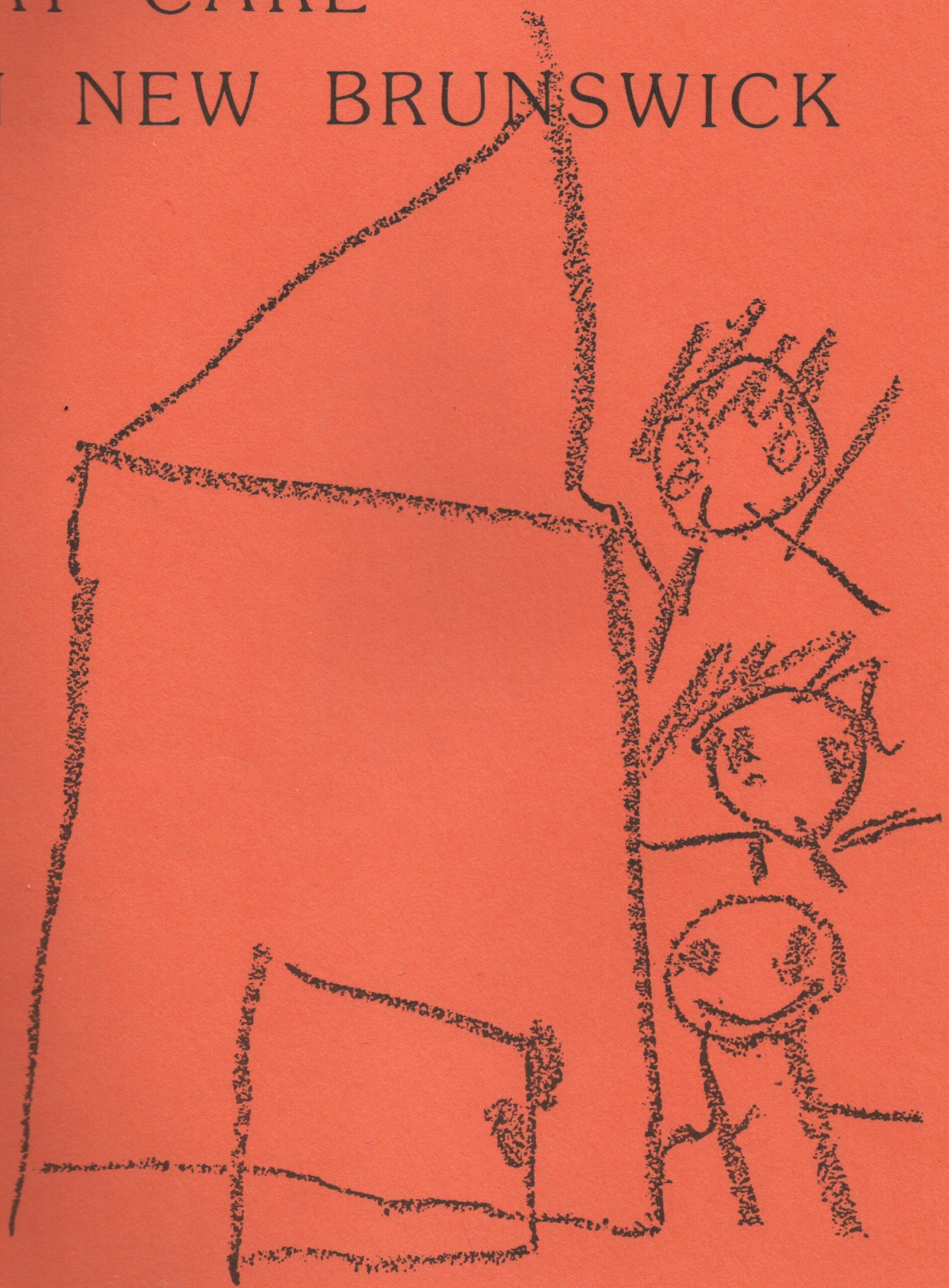
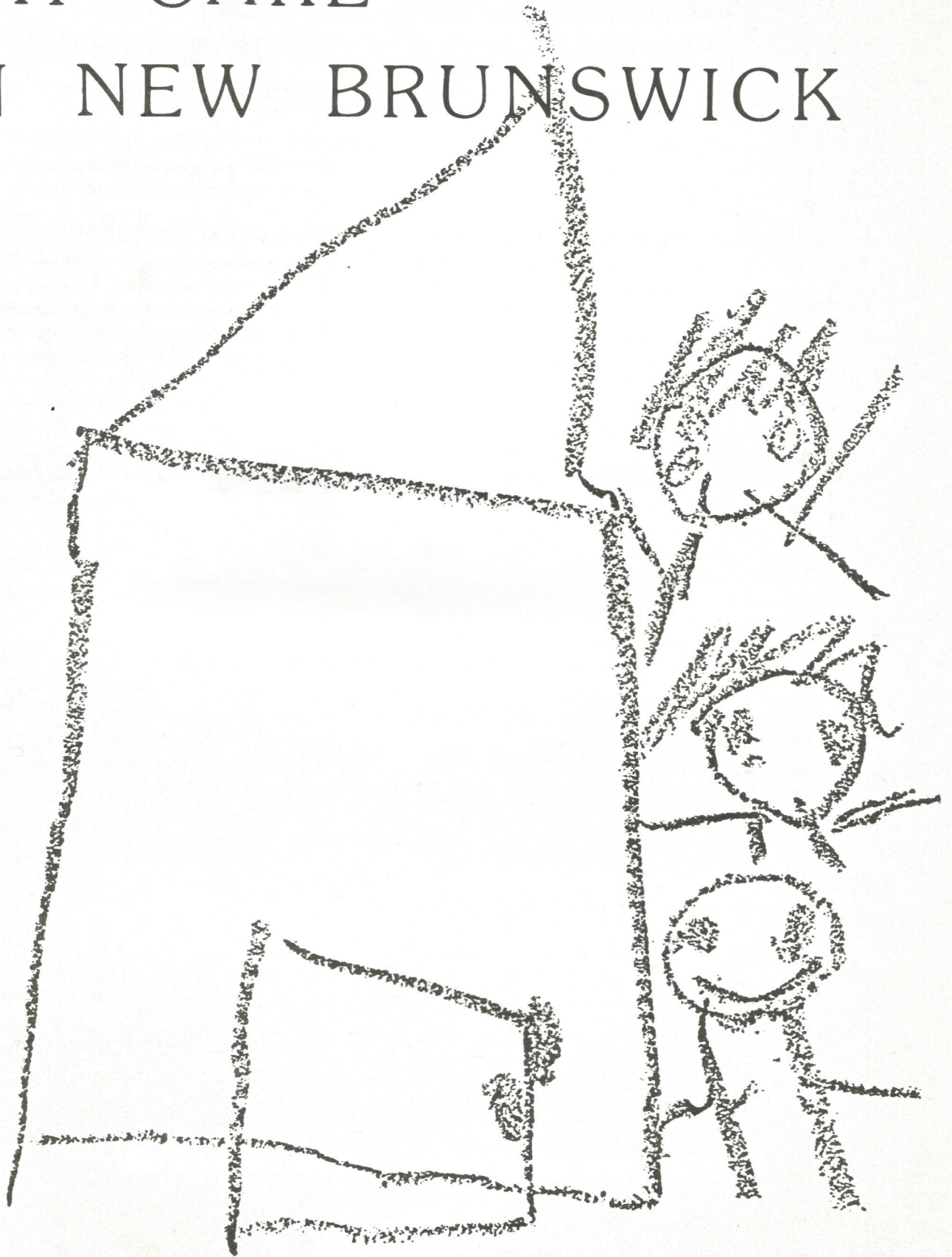


July '79

# DAY CARE IN NEW BRUNSWICK



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New Brunswick Advisory Council on the Status of Women

July 1979

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For further legal information contact:

Public Legal Information Services

Faculty of Law, U.N.B.

P.O. Box 4400

Fredericton, New Brunswick

E3B 5A3

(506) 453-4669

Text by Allaine Armstrong

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## PREFACE

The New Brunswick Advisory Council on the Status of Women is pleased to make available to the public the following guide to day care services in New Brunswick, prepared by Allaine Armstrong of the Women and the Law Project, Public Legal Information Services.

The Advisory Council is most anxious to encourage and assist in the development of quality day care facilities which would be accessible physically and financially to all citizens of the Province. To this end we are sponsoring a study of the day care needs of our citizens and the physical and personnel resources available to the Province and to individual communities for development in this field. This study will be complete by the Fall of 1979 and we will be making specific recommendations to the Government based on its findings.

Meanwhile, we feel that the information contained in this guide will be of value to those who require information of a practical nature now.

If you have any comments or questions concerning day care services in your community, please contact the Advisory Council by calling Zenith 08-014 or writing to:

The New Brunswick Advisory Council on the Status of Women  
381 St. George Street  
Moncton, New Brunswick  
E1C 1X3

## DAY CARE

### THE NEED FOR DAY CARE

With the rising cost of living creating pressures for both parents to work, and the increasing number of single-parent families, more and more parents are in need of adequate day care arrangements. In New Brunswick, nearly 44% of all women 15 years of age and over are in the labour force. Of these, two-thirds are married or head of household. For these women, the day care centre, if available, is an attractive alternative to babysitters, relatives, or placing the child in a private home.

But the demand for day care isn't just coming from the needs of working mothers. Many parents welcome the chance to share childbearing responsibilities with others, while providing their children with new experiences, new friends, a variety of adult role models, toys and games they may not have at home. Some mothers want to work part-time, or simply spend some time away from their children. Studies show that the quality of time spent with children is far more important than the length of time. Many parents feel more relaxed and open with their children if they are apart for most of the day. Often, it is the trapped, frustrated feeling of having to spend all day, every day, with a child that leads to child abuse.

### THE DAY CARE ACT

The N. B. Day Care act came into force in September 1977. It attempts to regulate day care standards throughout the province. Under the Act, a "day care centre" is any place offering day care services to the public with an enrolment of more than five children. Such a centre must be licensed. To obtain a license the centre must meet certain standards for the care of children, including requirements for safety, health, nutrition, sanitation; child-staff ratios, space and equipment.

### THE COST OF DAY CARE

The cost of day care varies. The average fee for a child in full-time attendance at a licensed centre is about \$120.00-\$130.00 per month. Half-day and after-school programs cost about \$45.00-\$60.00 per month. Most centres offer emergency and part-time care, according to space available, for \$6.00-\$8.00 a day. You may be entitled to a reduction in fees if you have more than one child enrolled. Some centres also charge a pre-registration fee, a penalty fee for late pick-up, and a retainer fee to keep your child's place if s/he is away for more than a week. Rates in private homes are generally lower than in licensed centres, but in either case, the day care operator is free to charge whatever fee s/he wants.

DAY CARE SUBSIDIES

If your child is enrolled in a licensed day care centre, you may be eligible for financial assistance from the Department of Social Services. Day Care subsidies are available to needy families meeting both a social and a financial criteria. Social need covers the following situations:

- (1) a single parent working or at school;
- (2) both parents working or at school, or one working and the other at school;
- (3) day care is recommended by a medical agency because of a parent's health requirements;
- (4) day care is recommended by a social agency to provide the child with an enriched environment;
- (5) special circumstances or emergency situations.

Parents meeting one of the above criteria must also show financial need. Eligibility is determined on a sliding scale according to family size and net income. The table that follows shows the amount of the monthly government subsidy as of July 1979, based on family income after taxes, and the number of day care children in the family unit. The two unit family receives a full subsidy up to a monthly income of \$490.00; the three unit family up to \$540.00; the four unit family up to \$570.00 and the five unit family, up to \$610.00



Parents must pay \$5.00 for each \$10.00 increase in monthly income above these minimum amounts. The maximum subsidy available is \$6.00 a day per child, or \$132.00 a month - this rate is the second lowest in Canada. If the day care centre charges more than the \$6.00 a day rate, the parents must pay the extra amount. If it charges less, the subsidy is reduced accordingly.

MONTHLY GOVERNMENT SUBSIDIES FOR DAY CARE

Family Size	Family Income * per Month (after taxes)																		
	\$0-490	500	550	600	650	700	750	800	850	900	950	1000	1050	1100	1150	1200			
2 UNIT FAMILY																			
1 day care child	\$ 132	127	102	77	52	27	2	No subsidy over \$754											
3 UNIT FAMILY																			
1 day care child	\$132	132	127	102	77	52	27	2	No subsidy over \$804										
2 day care children	\$264	264	259	234	209	184	159	134	109	84	59	No subsidy over \$958							
4 UNIT FAMILY																			
1 day care child	\$132	132	132	117	92	67	42	17	No subsidy over \$834										
2 day care children	\$264	264	264	249	224	199	174	149	124	99	74	49	24	No subsidy over \$1065					
3 day care children	\$396	396	396	381	356	331	306	281	256	231	206	181	156	No subsidy over \$1065					
5 UNIT FAMILY																			
1 day care child	\$132	132	132	132	112	87	62	37	12	No subsidy over \$874									
2 day care children	\$264	264	264	264	244	219	194	169	144	119	94	69	44	19	No subsidy over \$1138				
3 day care children	\$396	396	396	396	376	351	326	301	276	251	226	201	176	151	126	No subsidy over \$1172			

\* Income from all sources including Family Allowances

To find out more about day care assistance, contact your local office of the Department of Social Services (listed in the phone book under "Province of New Brunswick"). Application forms for the day care subsidy are available from the Department and from licensed day care centres. All applications are screened by Department social workers to see if they meet the required criteria. If your family is eligible you will be sent an authorization form to take to the licensed centre of your choice. If you are ineligible you will be notified by letter, but you can ask for further review of your situation.

#### AVAILABILITY OF DAY CARE

The demand for day care has risen rapidly in recent years. Unfortunately though, the government has still not given day care the priority it deserves. In New Brunswick, there were 45 licensed day care centres as of July 1979 with a total of 2,970 spaces available, as well as an unknown number of unlicensed homes. At the same time, there were nearly 60,000 children under 5 years of age in the province. Because of the lack of government involvement, most day care centres are privately-run, although there are some cooperatives, "Y" and church-run facilities, and even parent-owned corporations. Most urban areas now have one or more licensed centres and there are private homes operating in many communities, but day care services are still lacking in rural areas. Up-to-date lists of licensed centres are available from:

The Supervisor of Day Care Services  
N. B. Department of Social Services  
P.O. Box 6000  
Fredericton, New Brunswick  
Telephone: 453-2979

Day Care centres can vary in size from 3 to 4 children in a private home to large, specially designed facilities that can accommodate up to 100 children. Most are in the 10-30 child range. Many of the better licensed centres have waiting lists. Parents with infants have special difficulty - there are few centres willing or able to care for children younger than 2 years of age. Some centres also require that the child be toilet trained; others are willing to toilet train when the child is ready. Most smaller centres are for pre-schoolers only (up to age 6), but larger ones often take children up to age 12 or 13 for after-school care. There is no convenient care available for children of parents who have to work odd hours and shifts.

The day care available in New Brunswick is really only minimal care. For most women, day care services just aren't available, or do little to meet their particular needs. Infant care and after-school programs are seriously lacking. Women in rural areas and those who work odd shifts have no other option but the private sitter. What is needed is a stronger government commitment to conveniently located publically financed community day care, offering a variety of programs and flexible hours.

The demand for day care is important to women for two reasons. First, it is based on the premise that responsibility for childrearing should not be placed entirely on individual parents - children are society's responsibility too. Second, it recognizes that equal pay legislation and laws that

guarantee equal job opportunities to women are meaningless without enough day care facilities to allow all women who want to take advantage of those opportunities to do so.

#### SERVICES PROVIDED IN A DAY CARE CENTRE

Most day care centres operate according to the needs of the white-collar working parent, opening as early as 7:30 am and closing at 5:30 pm. They must provide for the child's basic needs during this time. Usually the program includes inside and outside play periods, rest periods, snack times, age-group learning activities, motor skill development, special events, music, crafts and games. Many programs also have regular field trips and special visitors. Some centres offer second language programs and bilingual staff. Hot lunches are provided in some centres; in others the children must bring their own. Most centres do provide one or two snacks during the day.

Day care centres are still largely staffed by people with little formal child-care training, although there are more and more trained graduates in the field all the time. Some day care directors do have recognized credentials in related fields but others only have their years of experience working with children. On-the-job training programs for day care staff are beginning to be developed by Social Services. Day care workers are almost all women - unfortunately, it's low-paying and low-status work.

## CHOOSING A DAY CARE

While there may not be a lot of choice, you should try to select a day care centre which is well suited to your child's needs. Children respond to their total environment - they are particularly influenced by the people around them, both adults and other children. Choosing a licensed centre may be simpler than choosing a private home, since there is generally more information available about it, and it at least meets government standards.

If you are considering a licensed centre, you should visit it several times to get a feel for its program. Talk to the staff, the directors, and certainly to other parents. It is suggested that you ask the following questions, based on guidelines set by the Department of National Health and Welfare:

- .1 How many children are enrolled at the centre?
- .2 How many children are in the same age group as my child?
- .3 What is the ratio of staff to children?
- .4 What is the training and experience of the staff?
- .5 Do the parents have a role in the running of the centre?
- .6 Are there regular staff-parent consultations about the child?
- .7 What are the discipline procedures? It is important that they be similar to yours so as not to confuse the child.
- .8 What is the daily schedule at the centre?
- .9 What will happen if your child becomes ill?
- .10 What are the fees? Are the parents charged according to their ability to pay? Do you have to pay if the child is absent due to illness or parents' holidays?

- .11 What are the hours at the centre?
- .12 What are the meals and snacks like? Is there provision for the child with a special diet?
- .13 Is the centre safe and comfortable? Is there plenty of play space, both indoors and out? What are the sleeping facilities like? What kinds of toys and play equipment does the centre have?
- .14 Does the centre carry accident insurance?

If you are considering a private home, there are also a number of important considerations: the day care mother's personality, her house, her husband, her own children, and the other children she cares for during the day. You should interview the day care mother in her home before making any decision. If you don't know her well, you could also ask for a list of references.

Here is a useful guide to follow when interviewing the day care mother, based on suggestions from National Health and Welfare:

- .1 Are there other children being cared for in the home?  
Authorities suggest that a mother should not care for any more than three children besides her own.
- .2 Is the day care mother physically and mentally fit? Inquire also about the health of her husband and children.
- .3 Does the day care mother speak the same language as the child? Children may have difficulty becoming adjusted if they do not speak the same language as the day care mother. The mother will have to possess the ability to communicate.

- .4 What are the day care mother's child-rearing practices? She should use similar methods to your own to avoid confusing the child.
- .5 Is the day care home safe and comfortable? Is there plenty of play space both indoors and out? What are the sleeping facilities like? What kinds of toys and equipment does she provide?
- .6 What if your child becomes ill? Is the day care mother prepared to look after your child if he or she has a fever, cold or other illness?
- .7 Does the family have accident insurance? Some private home policies provide benefits - often up to a maximum of \$500.00 - to cover accidents which occur on the premises.
- .8 What are the fees and what method of payment does the day care mother wish? Will she provide you with a receipt so you can deduct your day care as an expense when doing your income tax?
- .9 What about the day care mother's husband? Does he mind his wife caring for children?

Of course, the deciding factor for many parents is still the convenience of location - close to work, home or an older child's school. There are advantages to using a day care service (licensed centre or private home) right in your neighbourhood. Your child will have no transportation problems and will remain in a familiar setting. If you have a child in school, you could use the same day care service for both children. The older child could go there for lunch or after school supervision, and you would be able to pick them up together on your way home. On the other hand, if the service is near your work, you may be able to visit the child during the day. This is important if your child is receiving special medication or treatment that you must administer yourself, or if you just want to spend some time together during the day.



Whether you are choosing a licensed centre or a private home, take your child for at least one visit to see how s/he gets along. This gives the child a chance to get to know the new environment. Don't expect your child to respond immediately - chances are, s/he will need some time. If you decide that you like it there, provide the day care mother or the centre director with the following information about your child:

- .1 name and phone number of both parents, if applicable, at home and at work.
- .2 name and phone number of a friend or relative whom the child knows in case the parent(s) can't be reached.
- .3 name and phone number of your doctor.
- .4 list of allergies and forbidden foods.
- .5 your child's routine, meals or feedings, snacks, rest periods, toilet training, etc.
- .6 your child's temperament, problems, likes and dislikes.

#### CHANGING DAY CARE CENTRES

If you have to make a change, choosing a new day care centre should be done as carefully as the first time. Change is usually difficult for a child. Try to find a place that can look after your child on a long-term basis. Share with the new centre information about your child's previous day care experiences, and the reason for the change.

#### THE LEGAL RELATIONSHIP

Many parents are unsure about their legal rights in a day care situation. Basically, when a parent places a child in a day care centre, (licensed centre or private home) the day care operator and any staff are "in loco parentis" to the child. That means they stand in the place of the parent

in relation to the child, charged with all the parent's rights, duties and responsibilities. They are under a general legal duty to provide the "necessaries" of life (like food, warmth, clothing, shelter, medical attention) to the child while under their care. Should they fail to perform that duty, endangering the child's life or health, they would be guilty of a criminal offence. They would also be liable for any injury to the child caused by their negligence or wilful acts.

#### THE CONSENT FORM

A consent form must be signed by the parent(s) when a child is enrolled at a licensed centre. Some private operations also require it. The consent form authorizes the staff at the centre to obtain medical attention for the child in an emergency, and to administer the child's medication if that is the centre's accepted policy. It can also give the staff permission to take the child on outings away from the centre. The day care staff would continue to be "in loco parentis" to the child wherever they were.

The consent form can also be used by the centre to try to contract out of it's liability for damages in case of accident. However, day care operators can never avoid their responsibility through a consent form, particularly if negligence is shown.

#### EMERGENCY MEDICAL TREATMENT

In emergency situations, the day care staff is under a legal duty to take your child to hospital whether or not you have signed a consent form. They don't have to wait to contact you first. If your child's injuries require

only minor treatments, the hospital may go ahead without you being there. But if a surgical operation is necessary, the hospital requires your written consent, unless the delay would endanger your child's life. In case a parent can not be reached, the surgeon on duty, in consultation with one other surgeon, would decide whether or not to go ahead with the operation.

#### HEALTH STANDARDS

Under the Day Care Act, a licensed day care centre must maintain certain health standards. No person suffering from a communicable disease can be admitted to the centre, but if such a disease is introduced all parents must be informed as soon as possible - at least within 24 hours. If a child develops symptoms of an illness, s/he must be separated from the other children, and the parent(s) contacted to determine if medical attention is required. If the parent(s) can't be reached, the family doctor should be contacted; if s/he is unavailable, another doctor must be contacted.

#### MEDICATIONS

Some day care centres require that all medication must be administered to the children by their parents. Where the day care staff of a licensed centre assumes this responsibility, the medicine must be provided by the parents with the child's name, dosage, and method of administration on the bottle.

CHILD ABUSE

There is no provision in the Day Care Act protecting the child from abuse in a licensed day care centre. If you suspect a child is being abused in a licensed centre you should report the abuse to the Supervisor of Day Care Services in Fredericton (see address on page 6). The Department will investigate the complaint and the operator of the centre may have his or her license revoked.

Under a recent amendment to the Child Welfare Act, the reporting of child abuse is now compulsory in New Brunswick. Any person who suspects that a child has been abandoned, deserted, neglected, or physically or sexually ill-treated must inform the Director of Child Welfare without delay. The Director is empowered to investigate such reports immediately and take any steps necessary to protect the child. So if you suspect that any child is being abused by a day care worker (or by another parent) in either a licensed centre or a private home, you are under a legal duty to report it. You cannot be sued for reporting child abuse, or be identified without your written consent except in the course of judicial proceedings.

If a day care worker strikes a child (other than discipline - see next page) s/he could be charged with criminal assault. If the child is physically injured, the worker could be sued for damages as well. Sexual ill-treatment of a child would be covered by indecent assault. It is a criminal offence to abandon or expose a child under 10 years of age thereby endangering its life or health. It is also illegal to participate in adultery, sexual immorality, habitual drunkenness or any other form of vice in the home of a child, making it an unfit place for the child to be, or endangering the child's morals.

### DISCIPLINE

There is no law protecting a child from disciplinary measures. Under the Criminal Code, every teacher, parent or person standing in the place of a parent is justified in using force to discipline a child under his or her care, if the force used is reasonable under the circumstances. The courts have held that as long as a teacher has reasonable grounds for believing that a child has done something improper, the child's punishment is excusable even if the child turns out to be innocent.

### ABDUCTION

When a parent with lawful custody places a child in a day care centre, the operator of the centre, and the staff, stand in the place of that parent. If the other parent, (or any one else for that matter) wants to take the child away, the staff has no obligation to let the child go without the consent of the parent with custody. In fact, the staff must refuse to hand over the child to any unauthorized person. A parent who wants someone else to pick up his/her child should notify the staff beforehand - otherwise a note or a quick phone call can clarify most situations. If a parent with custody suspects that the other parent will attempt to abduct the child from the day care centre, the staff should be informed of the situation so they can be prepared for any problems. Any one who takes a child under 14 years of age away from a parent, guardian, or other person in lawful charge of the child is guilty of an offence and can be sentenced to up to 10 years in prison.

### TAX DEDUCTIONS FOR DAY CARE

Child care expenses (babysitting, day care, etc.) for working mothers or single parent fathers are now deductible from income tax. However, it may be difficult to claim the deduction when your child is placed in a private home. The day care mother may not want to declare her babysitting money as income - although she is supposed to - and you need receipts (identified by her SIN number) from her before you can claim the deduction yourself. If you are in this situation, you will have to decide if keeping your child there is more important than losing the deduction. If the child is just there on a part-time or after-school basis, the tax deduction may be minimal anyway.

Licensed day care centres will give you receipts for fees even if the child is only there on a part-time or after-school basis. If you receive a full or partial day care subsidy, you can still deduct the full fees, but the subsidy portion must be included as income. The tax deduction for child care is limited to actual child care expenses not exceeding the least of:

- (a) \$4,000.
- (b) \$1,000. for each child under 14
- (c) 2/3 of the taxpayer's earned income for the year.

### STARTING YOUR OWN DAY CARE CENTRE

If there are no day care services in your area, or existing services are inadequate, you might think about setting up your own day care centre. Many day care centres have been started just that way - by a group of parents with a common need - in homes, church basements, meeting halls, housing units, work places and universities. If your centre has up to five

children, you don't have to meet provincial licensing requirements. (Of course, you should try to establish high standards for the children's health, safety physical and mental needs anyway.) If your centre has more than five children, you must be licensed. For information on licensing requirements contact the Supervisor of Day care services in Fredericton. (see page 6) The application fee for a licence (valid for up to one year) is \$1.00. The license can be renewed on yearly inspection.

#### PHYSICAL FACILITIES STANDARDS

Certain standards for physical facilities are required before the premises will be approved for a day care centre:

- sanitation, lighting, ventilation and general health standards must be satisfactory to the Department of Health;
- fire, safety, and building standards must be maintained in accordance with Department of Labour standards, as assessed by the Provincial Fire Marshall;
- usable floor space exclusive of offices, hallways, washrooms, lockers, kitchen, and isolation rooms must be a minimum of 35 square feet per child;
- there must be sufficient safe outdoor space to accommodate at any one time at least half the children attending the centre;
- there must be sufficient kitchen and dining facilities to provide for snacks and meals;
- there must be a suitable area where a child can be separated from the others if he shows symptoms of developing an illness;
- there must be a suitable area for each child to sleep and rest.

### STAFFING STANDARDS

There are also requirements for staffing. There must be at least two day care staff on the premises when children are present, in case one of the staff has to leave in an emergency. The child-staff ratio depends on the age group. For children 2-24 months the required staff ratio is 3 to 1; for 2-3 years old the ratio is 5 to 1; for 4-5 year olds 10 to 1; and for 6-12 year olds, 15 to 1.

### ENFORCEMENT

Under the Day Care Act, no person shall operate a day care centre (defined as offering public day care for more than five children) or claim to operate a day care centre unless s/he holds a valid license. Any one who fails to comply with this requirement is guilty of an offence, and can be fined up to \$100.00. (If the centre is incorporated, the fine can be up to \$500.00) Failure to comply after a warning with any other provision of the Act may result in denial, revocation or suspension of the operator's license.



