

# The Childcare Professional EXPERIENCE

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## Workplace Harmony: Defeating the Workplace Bully

By: Janice Nieliwocki

Take a look at today's workplace and compare it with the workplace of yesteryear and see a very different work environment. Today's workplace is a virtual melting pot, rich in diversity, reflective of our present day society. People come to the workforce with varying backgrounds; differing ethnicity, race, religion, culture and language. We are also experiencing greater age disparity in the workplace, as Americans are living longer and thus staying in the workforce longer. Not to mention, gender difference; men and women working together. This is especially unique in the child care industry as it has always been predominately staffed with female employees.

People also bring differing *personal* traits to the workplace. We all bring our own talents and skills, but we also bring different personalities, differing values, expectations, experiences, work ethics, preconceived ideas and prejudices. It is no wonder that the workplace often becomes a place of conflict and discord.

However we all, hopefully, realize the importance of a harmonious workplace and the benefits of getting along with co-workers. One of the major benefits of harmony in the workplace is that it brings increased productivity. In the child care industry, increased productivity would involve doing a better job, taking the extra step to better serve our children and families. Keep in mind that people can't work to their full potential if they don't feel good about showing up for work each day. A harmonious workplace also goes far in raising morale. This is especially important from a supervisory aspect, as high morale inspires people to achieve more. In addition, a peaceful, amicable workplace limits work stress, making work more enjoyable.

As a result, employers experience less absenteeism, less tardiness and a lower rate of staff turnover.

With that said, what can we do to build on and improve interpersonal relationships with co-workers? The answer can be summed up fairly easily with the focus being on professionalism, respect, flexibility, compromise, cooperation, and communication.

One of the first steps is to recognize that you are a professional. Remember that all your actions and interactions should represent and reflect the professional you truly are. This includes speaking to co-workers in a professional manner and showing respect for others.

The importance of respect can't be emphasized enough. Be respectful in all your interactions in the workplace, recognizing that small gestures, such as greeting your co-workers with a smile and applying good manners, goes a long way in showing respect. In addition, recognize that everyone is different and respect and celebrate those differences. Take the time and effort to look for the positive qualities in your co-workers. You don't need to like everyone, but respect them for the skills and qualities they bring to the workplace. Remember to respect your co-workers boundaries, recognizing that not everyone is comfortable discussing all subjects. Also, accept co-workers boundaries concerning criticism, instead shifting the focus to showing support.

It is import to respect confidences. If you know personal information concerning a co-worker, keep it confidential. Avoid gossiping and spreading rumors. These tend to be hurtful and counterproductive to the workplace.

Remember to be open-minded.

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# Collecting Past Due Accounts

By: Jason Dalton

## I. Set the tone as soon as a new client is taken

An all too familiar problem with many child care providers is the issue of collecting outstanding debts from delinquent clients. However, like many of the issues day care providers face this is one that can, in a large part, be avoided through sound policy. To begin, it is important that the initial agreement between your agency and an enrolling parent clearly outlines your procedures for recovering past due tuition. It is recommended that you include in your contract with every new parent a provision which states that overdue balances will incur interest at the maximum rate legally permitted. Your initial agreement should also state that should the client's delay in paying a debt, require your agency to hire attorney the client will be responsible for those costs. Provisions such as these can serve several purposes. Initially, they act as an additional disincentive to your clients from becoming behind in payments in the first place. Later down the road, should you find the need to peruse more aggressive options to recover outstanding fees, these policies shift the expense of collecting the debt onto the client and provide leverage for your agency when attempting to negotiate debt settlement.

Whatever policies you decide to adopt regarding late tuition payments, it is crucial that you actually intend on following through with them. One of the primary goals behind an agreement regarding late payments is to ensure that bills are paid promptly, thus saving you the time and expense of tracking down deadbeat clients. Should you fail to enforce your own policies regarding late bills, you will develop a reputation as a pushover, clients will lose the incentive to pay your agency on time, and you will find yourself spending more and more time chasing down late tuition payments. Likewise, only make threats to file suit or turn a bill over to a collection agency if you actually intend on doing so, otherwise future collection of past due bills will become even more difficult.

## II. Be diligent with outstanding debts

Should a client fall delinquent in tuition payment the key to recovery is prompt action. Any experienced debt collector will tell you that more time that passes before actions are taken to recover a debt the less likely it is that you will be able to collect even part of the debt later. Therefore as soon as a client misses a payment you should remind that parent, in writing, of the billing practices, finance charges, and any other billing fees outlined in your initial agreement. If the parent continues to fail to make tuition payments you should refuse to accept the child into the program until the outstanding bill (including all late fees) is satisfied. This may seem like a harsh step, but you must remember that you are running a business, not a charity. See what happens for example

if you stop paying your cable bill, your electric bill, or your phone bill. Denial of service can be a mighty effective wakeup call to a client, and can set the tone for prompt tuition payments thereafter.

Another reason why it is advisable to deny service to a client who fails to make tuition payments is to control the amount owed to you. Although there are a number of options to recover past due debt (discussed below), they are all contingent on the client having the assets somewhere to repay you. After all, "you can't draw blood from a stone" and in the situation where a former client is completely bankrupt and simply cannot pay you, it's better to have them \$500 rather than \$5,000 in your debt.

## III. Taking More Drastic Measures

In the event that you are unable to persuade a client to voluntarily pay past due bills, you have a number of more aggressive options to choose from. It is important to note however, that each of the following options will cost you additional time and money. Finally, as mentioned earlier the more time that passes before an outstanding debt sought the more it will cost you and the less likely it will be that you will be able to collect, so diligence in perusing debts is recommended.

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## *The Childcare Professional* EXPERIENCE

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Recognize that your way isn't the only way and there is often more than one way to get the job done, to reach a common goal. Acknowledge and respect that your co-workers may do things differently, but that doesn't mean their way is wrong. Be flexible enough to cooperate and compromise when necessary.

Effective communication is a key element in the workplace. Keep in mind that good communication can improve all relationships, including those with co-workers. Communicating frequently and effectively can avoid misunderstandings. Be cognizant of your choice of words and how they affect others. If a conflict arises, avoid using blaming statements and again be cautious with criticism. Remember that an important component of effective communication is good listening. Give the person you are speaking with your full attention and focus on what the person is saying. Establish and maintain eye contact. Ask for clarification and more information if needed and wait until the other person has finished speaking before you reply.

When communicating in the workplace give and take praise accordingly. We all like to be recognized for a job well done and positive statements go a long way in improving relationships and fostering a feeling of well being.

Even though we may put all our efforts into working towards a harmonious workplace, conflicts will arise. Address them as soon as possible, to keep them from escalating. A direct approach often works best. Talk to your co-worker using neutral language. Offer solutions, working together to find ways to solve or correct the problem.

Recognize that some conflicts are often difficult to resolve and may require assistance from a supervisor or manager. He or she may be able to offer the help needed to resolve the issue.

A report of harassment or bullying within the workplace is a very serious matter and needs to be treated accordingly. Harassment, in its simplest form, can be defined as any im-

proper conduct by an individual, that is directed at and offensive to another person or persons in the workplace. Keep in mind that it doesn't arise to a level of harassment until someone complains about it. Although closely related, bullying takes things "a step above and beyond". Although definitions vary, bullying can be described as offensive behavior and an exercise of power that attempts to undermine an individual through humiliation. Often, bullying involves repeated incidences and a pattern of actions meant to intimidate and offend.

The negative effects of harassment and bullying in the workplace are many and far-reaching. The individual who is the victim of the harassment or bullying may suffer from anxiety, reactive depression, loss of self esteem and self-confidence. Not to mention the physical ailments which may evolve as a result of the increased stress. However the individual isn't the only person who feels the negative effects of the uneasy work situation. The entire workplace falls victim, and may experience loss of morale, reduced productivity, excess use of sick leave, increased staff turnover, and possible legal ramifications.

It is important to point out that there can be legal liabilities to both the individual who is committing the harassment and/or bullying, and to the employer (corporation) as well. The harasser or person who is doing

the bullying can be held liable both CRIMINALLY and CIVILLY, depending on the actions taken place. Different elements of harassment/bullying have different penalties in place. Keep in mind that liability can involve monetary as well as criminal penalties.

Employers or corporations can be held liable if they don't have a system in place to handle such situations. A procedure should be in place for dealing with harassment and bullying that involves the written documentation for reporting such incidents. In addition, the employer can be held liable if he or she knew of the situation or should have known of the situation and failed to take all appropriate measures to make the harassment/bullying stop and punish the person who committed the offenses. The employer needs to take immediate, remedial action which involves an investigation and removal of the perpetrator from contact with the individual.

We all need to recognize the importance of getting along with others in the workplace. A harmonious workplace does wonders in making the organization run smoothly. The better we get along with others and work as a team, the easier it is to achieve a common goal: that being to provide the best services we possible can to the parents, families and children we serve.



## CHILD CARE PROVIDER RETAINER PROGRAM

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# Can Head Start Teachers Collect Unemployment Compensation?

By: Jason Dalton

Are Direct Grantee Head Start Centers schools? Although the answer may seem simple enough, this issue has created a lot of controversy as it can mean the difference between whether or not teachers at these institutions are entitled to Unemployment Compensation benefits.

In general, the Federal-State Unemployment Insurance Program provides unemployment benefits to eligible workers who are unemployed through no fault of their own (as determined under State law), and meet other eligibility requirements of State law. Although the states are free to create their own specific unemployment compensation laws, the states must meet certain Federal guidelines in order to receive compensation from the Federal Unemployment Compensation fund. Therefore, although there is a degree of variation in the UC laws from state to state, most state laws contain a number of similar provisions necessary to keep in compliance with the federal guidelines.

Among the provisions required by the Federal Unemployment Tax Act ("FUTA") to be implemented on the state level is what is referred to as the "between the terms denial provision" for employees of educational institutions. Basically, this provision requires that UC benefits be denied to employees of "educational institutions" whose period of unemployment at issue is "between two successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms." Simply put, this provision requires

states to deny UC benefits to school employees during regularly scheduled breaks such as summer recess when the employee has been assured a return to her position at the conclusion of the break. The law however, fails to give guidance as to what exactly qualifies as an educational institution. Quite clearly public elementary and secondary schools qualify as educational institutions, but where do Head Start centers fall?

Currently the official position of the US Department of Labor is that Community Action Group run head start programs do not qualify as educational institutions under FUTA while Head Start centers run directly by local boards of education do qualify as educational institutions. This position is expressed in a 1997 Unemployment Insurance Program Letter (UIPL) citing a 1979 UIPL letter, numbered UIPL 41-97 and 40-79 respectively. Community action groups, as discussed in UIPL 41-97 are typically umbrella action programs that run a number of other programs such as, food distribution, energy assistance, senior citizen assistance, weatherization programs, etc. According to UIPL 41-97, a community action group run head start center whose goals include "child adjustment and development at the emotional and social levels, rather than school-type training" would not qualify as an educational institution under the Act.

On the other hand, when a local board of education operates a Head Start program as an integral part of the school system in the facilities of an educational institution, with Head Start workers as employees of the board, UIPL 4197 deems the head start center to qualify as an "educational intui-

tion." Left unanswered by the letter, however, is the status of Head Start programs run by a direct grantee whose primary purpose is the education of pre-school aged children.

This very issue is currently being argued on various levels of appeal within the Pennsylvania Unemployment Compensation system. Direct Grantee Head Start Programs are typically non-profit corporations whose sole function is running an education driven Head Start School. They focus on five areas of service, Education, Nutrition, Medical/Dental, Community Involvement, and Disability Services, however the bulk of their focus is usually in Education. The majority of Direct Grantee Head Start Center employees are typically teachers, and although the Centers are not regulated directly by the Pennsylvania department of education, they are held to federal performance standards that exceed those of the department of education.

In Pennsylvania there is some case law that seems to indicate that Direct Grantee Head Start Centers would qualify as educational institutions according to PA Unemployment Compensation law. In the case of *Easter Seal Society v. Unemployment Compensation Board of Review* the Commonwealth court of Pennsylvania held that the Easter Seal Society for Handicapped Children qualifies as an Educational Institution under PA UC law. In so holding the court noted: "that Easter Seal does not operate a school exclusively, but provides other services that are not academic, does not mean that Claimant did not 'provide services for an educational institution.'"

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# ADMINISTRATIVE SUPPORT RESOURCES FOR CHILD CARE PROGRAMS

- ◆ Model Personnel Policy Manual for Child Care Agencies: 3rd Ed.
- ◆ Model Parent Handbook for Child Care Agencies
- ◆ Model Forms for Child Care Agencies
- ◆ Current Issues in Child



Available at [childproviderlaw.com](http://childproviderlaw.com) by downloading and completing the ORDER FORM and mailing or faxing it according to the instructions. The MODEL publications come with a workbook and a CD for your computer to make them easy to use. CD is WORD formatted but can be converted to MAC applications easily. These are the most valuable and child care specific administrative resources available nationwide.

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## **A. Small Claims Court**

Small Claims Court refers to the section of civil court devoted to claims involving small amounts of money.

The maximum demand permitted in a small claims court complaint varies from state to state but is typically within the range of \$2,000 to \$5,000. If you have a client who owes you more than the maximum amount permitted in your state, you can still choose to peruse the claim in small claims court however you will forfeit your claim to any money in excess of the court maximum. For example, in a state where the small claims court maximum is \$5,000, you may file a complaint against a client who owes you \$6,000 however in the event that you win the case you will only recover \$5,000 and you will be barred from perusing the additional \$1,000 in a subsequent case.

The benefits filing a claim in small claims court is that it can be less expensive than hiring an attorney or a collection agency. Although you may choose to hire an attorney to represent you in small claims court, it is not necessary and many of the cases are litigated *pro se*. The filing fees and court costs for small claims court are also typically relatively small. For example in New Jersey the filing fee in small claims court is \$15 for one defendant and \$2 for each additional defendant.

In order to win a judgment in small claims court you need to be

physically present on your court date and present evidence of the debt your client owes you. Documents demonstrating your client's debt including, contracts, bills, letters, receipts, etc. are crucial to your success in court, so it is very important that you keep careful record of all of these documents and bring them with you to court.

Among the drawbacks to small claims court is the limited amount of money that may be recovered. It can also be time consuming, as you will need to prepare for your case and personally attend court on the trial date. Finally, should you be unable to adequately present your case a negative judgment against you could bar any future efforts to collect the debt.

*Additional information regarding small claims court in your state including any necessary forms is available online or at your local county courthouse.*

## **B. Private Attorney**

If the amount in question is too large for small claims court, or if you do not have the time to prepare and present a case yourself, you may consider hiring an attorney to pursue the debt for you. Lawyers can be more effective than debt collection agencies, especially if the amount in controversy is large enough to consider court action. Most of the time a simple threatening letter on an attorney's letterhead is sufficient to persuade a client to satisfy an outstanding debt. Should the client continue to refuse to pay the debt a

lawyer can file suit in civil court and obtain a judgment against the debtor. The judgment may then be satisfied immediately by the debtor, it can be obtained through court ordered wage garnishment, or it can then be entered as a lien against any property the debtor owes and if necessary obtained through sheriffs sale.

Although hiring an attorney is an effective method to recover a debt, the obvious drawback to using an attorney is the cost. Depending on the amount of the debt and the amount of work required, an attorney may charge based on an hourly fee or collect at least one-third of the recovered amount, or both.

## **C. Debt collection Agency**

A debt collection agency is a company whose specialization is the recovery of outstanding debt. Debt collection agencies come in all sizes and vary from general debt collection to those specializing in certain locations and types of debt. Once hired, a Collection agency will take the same type of measures you would. They send stern letters and make threatening phone calls, however, because collecting debt is their sole focus they often tend to be more cost effective than you would be personally. Debt collection agencies typically charge a percentage of the amount collected. Their fees range from 25-50% depending on the amount sought and the time lapsed. Although this may seem like a steep amount, recovering \$2,500 of a \$5,000 debt is better than nothing.

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Although the Easter Seal Society and Direct Grantee Head Start Centers are clearly not the same organization, they have a number of similarities. Both are comprehensive service agencies with a primary focus on education and supplemental services provided to enhance the educational experience. In fact, the most distinguishing characteristic between the two is that Direct Grantee Head Start centers are involved in a substantially greater amount of structured instruction than the Easter Seal Society, which cares for primarily disabled children and focuses to a greater extent on physical and medical care. Therefore, since it has been established that the Easter Seals Society qualifies as an Educational Institution under PA UC law it appears as though Direct Grantee Head Start Centers, which are more like schools than the Easter Seals Society, should also qualify as Educational Institutions.

Despite the forgoing analysis, many local Unemployment Compensation Service Centers continue to reach the conclusion that Direct Grantee Head Start Centers are not Educational Institutions under PA UC Law. Continued challenges of these finding to the State Unemployment Compensation Board may provide final clarification for all Direct Grantee Head Start Programs in PA. We will continue to work with Head Start Programs in PA in an effort to work toward clarification.

If your Head Start Agency is seeking representation for Unemployment Compensation matters, contact Dawn Martini at (215) 785-3400 for information. For updates regarding this issue stay tuned to our website at [www.childproviderlaw.com](http://www.childproviderlaw.com).

## Gross Motor Activities for the Winter Months

By: Janice Nieliwocki

Now that winter has finally arrived, don't take a vacation from activities designed to promote the development of gross motor skills. Gross motor skills are the abilities needed to control the large muscles of the body. These muscles control movements such as walking, running, crawling, throwing and similar activities.

The importance of a good preschool movement curriculum can't be over emphasized. Children love to move and movement helps to develop the large muscles of the body necessary for the above mentioned activities and promotes self-esteem and self-confidence. In addition, physical activities, introduced at an early age, encourage physical fitness and set the stage towards healthy and active lives, especially important today as we face a nationwide increase in childhood obesity.

You are probably spending more time indoors due to winter weather and it can be a challenge to incorporate physical activities and movement into your everyday regimen. Why not face the challenge, be creative and have some fun, keeping in mind that your ultimate goal is to promote and improve gross motor skills?

When planning your movement curriculum, look at the developmental level of each child. Take care to ensure that your lesson plans and activities are developmentally appropriate yet offer a certain degree of challenge. Arrange your activities in a hierarchical sequence so that earlier skills build towards more complex physical skills. If incorporating equipment into your movement program, make sure that the equipment is developmentally appropriate and inspect it periodically to ensure it is safe and in good condition.

Include activities that promote balance, spatial orientation, coordination and body awareness. Incorporate movements that are designed to work the major muscles of both the upper and lower body.

Parachute play is a perfect indoor activity for improving upper body

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Coming Spring 2007

## Learning Stations for the Pre-School Classroom

- \* A Curriculum Guide designed to enhance and enrich your Pre-School Educational Program
- \* Designed for small group interactive learning
- \* Each "station" is equipped with activities and materials designed to teach/reinforce a specific skill or concept
- \* Learning Station Activities are developed from and center around popular Children's Literature

Learning Stations for the Pre-School Classroom is a comprehensive curriculum guide with over 50 activities and includes everything needed for implementation including: Lesson Plans, Reproducibles, a Management Guide, Organizational Tips, Parent Newsletters and a Concept Chart.

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strength and coordination. Spread the parachute out and position children equidistant around the perimeter, instructing them to hold a portion of the parachute. Allow children to manipulate the parachute up and down in a wavelike motion. Incorporate a lightweight ball into the activity and have children either toss and catch the ball with the parachute or roll it around the parachute in a circular pattern. These activities and similar ones will work the muscles of the wrist, arm, shoulder and trunk. You can also include activities which involve crawling under the parachute, etc. to further involve other large muscle groups. You can also purchase music CD's which include music and activities designed for parachute play.

Beanbag and/or lightweight ball toss can easily be

adapted for indoor play.

Work to improve throwing and catching skills. In keeping with a winter theme, you can also simulate "snowball" activities, having children roll white tissue paper into pretend "snowballs". Children love having a "pretend" indoor snowball fight or tossing their pretend snowballs into a basket or other container. You can also involve kicking activities, as long as space allows and there are no safety risks.

An indoor obstacle course is easy to set up and can provide a great deal of fun as well as focus on improving gross motor skills. There are many pieces of equipment, such as a low balance beam, fabric tunnel, or sets of stairs, specifically designed for just this purpose which can be purchased fairly inexpensively. However, lack of equipment shouldn't prohibit you from this activity as you can use items from your classroom to establish an indoor obstacle course. You can easily put together a make-shift tunnel by draping a sheet over chairs or tables. Large wooden blocks can serve as a "balance beam" on the floor or as an obstacle for children to step over. Small classroom chairs can be set up in a particular configuration, so that children can "weave" through or around them. Large hoops, laid flat on the floor, are perfect for children to step (or jump) in and out of. Make an effort to incorporate various movements and challenges into your obstacle course activity, including, but not limited to, crawling, jumping, skipping, stretching, climbing, and left and right coordination. Consider your particular classroom situation and environment and the developmental level of the children you're working with. Proceed accordingly, keeping safety in mind.

Dancing to music can be a favorite activity for young children and can serve to develop gross motor skills. It is the perfect activity to incorporate stretching and reaching movements. Include ribbon wands with your dance motions and improve coordination and rhythm, as well.

Don't overlook the importance of static activities, which work to improve stability and balance. Have children stand on one leg, switch to the other leg, and/or perform other balancing actions. The game of Simon Says is the perfect venue for these activities.

When inclement winter weather limits your ability to play *outdoors*, seize the opportunity and accept the challenge to focus on physical activities *indoors*. The benefits a good movement curriculum can provide is well worth the extra time and effort it may take to plan and execute. The children you serve will experience improved gross motor skills, as well as increased self-esteem and confidence!

## CHILDREN'S BOOK CORNER

By: Janice Nielwocki

If you are looking for a very special book to complement winter weather and snowy days, consider including Snowmen at Night in your preschool story time selection.

Written by Caralyn Buehner and illustrated by her husband Mark, this story will capture the attention of young and old alike and take them on a delightful journey into the secret night time activities of snowmen.

The story begins with a young boy's narrative account of the building of a typical snowman. Following a good night's sleep, the boy awakens, only to realize that something is quite amiss with his snowman. The boy wonders what might have occurred, which leads to further speculation as to what snowmen do at night. The reader or listener is instantly whisked off on a magical expedition, where snowmen take part in fun-filled winter activities. Not only do they drink cold cocoa and eat pizza, but they skate, make snow angels, and partake in other snowy antics.

Young children will especially enjoy the story's rhyming text and will be charmed by the imaginative, fun-filled storyline. Beautifully illustrated, the whimsical snowmen seem to take on personalities of their own. If the reader looks carefully, hidden pictures can be discovered throughout.

Snowmen at Night is the perfect book for alleviating winter doldrums. After reading it to the children in your class, why not stimulate imaginations and reinforce verbal skills by starting a discussion as to what snowmen might *really* do at night? Consider adding dramatic play, by having the children act out the snowmen's activities. Extend the theme further, and have the children paint or construct snowmen in a related art activity. Snowmen at Night will surely prove to be a favorite in your classroom!

## The Strategic Planning Process

By: Dawn K. Martini

Strategic Planning has become an integral part of the child care industry. Child care centers all over the country, especially those in states with quality initiative programs, have begun to make charting the course of their businesses a priority. In an effort to promote and sustain quality early care and education programs, non-profit organizations such as the United Way have invested large quantities of money in the child care industry in the area of Strategic Planning. Many new business savvy for-profit owners have taken lessons from other industries which have used Strategic Planning to build healthy and profitable companies and are engaging the Strategic Planning.

At its core, a Strategic Plan is a road map for the company. The Strategic Plan outlines and sets markers for achievement of specific goals over time. Typically the Strategic Plan is set out as one, three and five year benchmarks, although some businesses push forward and include a 10 year benchmark as well.

As a process, Strategic Planning forces the owners and administrators of child care programs to focus on key issues effecting the growth and development of their businesses as a whole. In child care it is important to consider the entirety of the business when Strategic Planning. For too long child care business owners have not paid much attention to business and employment practices as keys to developing a healthy and successful early care and education business.

The Owner/Administrators begin the Strategic Planning Process by establishing the current position of the business and setting a solid foundation from which to work in relation to the following indicators: Agency Mission, Financial Stability, Range of Services Provided, Curriculum, Facilities, Population Served and Administrative/Human Resource Systems.

With the above indicators in mind owners move onto selecting a Strategic Planning Team. The Strategic Planning Team will meet several times over the course of the process to discuss goals, barriers and action steps. It is the Strategic Planning Team that sets the roadmap for the business for presentation to the owners/BOD approval or adoption as the official Strategic Plan for the business.

The methodologies for developing a Strategic Plan vary depending upon the particular style of the facilitator. Finding a facilitator that compliments the personality of the business and the owners/administrators, who is also knowledgeable about the child care industry can greatly impact the success of the overall process. The facilitators role is to tap into and draw out the richness and creativity of the Strategic Planning Team Members and to direct the teams energy into developing a comprehensive Strategic Plan. It is not the facilitators role to develop the Strategic Plan for the business. Setting the course of the business from and outside perspective would not result in a personalized, effective and useful Strategic Plan.

Please look for Strategic Planning articles in upcoming issues as they will delve into specific areas of the Strategic Planning Process.

Next Issue: Strategic Planning: Set the Foundation

## Learning Stations: An Introduction

By: Janice Nielwocki

If you are looking for something to enhance and enrich your preschool curriculum consider adding **Learning Stations for the Preschool Classroom** to your classroom. Often used in primary and elementary classrooms, the Learning Station concept can be easily adapted for use in preschool classrooms. All it takes is a little creativity and ingenuity!

Learning Stations are individual areas set aside in your classroom, specifically designed for small group interactive learning. Each area is equipped with teacher developed materials and activities which are designed to teach and/or reinforce a specific skill or concept. The teacher designed materials are of various formats and are created to appeal to young children. The activities can be work mats, games, and/or manipulatives.

Your Learning Stations can be either literature or theme based, but should be related in some way so to add to the overall continuity of the activity. Make a list of the developmentally appropriate concepts you wish to teach and make and create activities to reflect both the skills and the theme (or book) you've selected.

The number of stations set up in your classroom can vary, but it is best to limit the number to three or four at any given time. This allows for an organized classroom environment and for the teacher to maintain contact with all groups throughout the activities.

Children are then placed in small groups of four or five. Each group begins at a different station and then rotates from station to station as each activity is completed. Learning Stations work best with older three, four and five year old children, but can be adapted for the younger preschooler as well. You will just need to simplify and modify the activities to be appropriate for the age and stage of development of the child with whom you are working.

The teacher's role is that of planner and facilitator. After providing directions for each activity, the teacher should provide support and guidance, allowing the children to successfully complete the activities at each station.

Learning Stations can serve to motivate hands on learning, build and reinforce basic skills, and foster independent learning. Once incorporated into your classroom curriculum, the benefits you will discover will be great and far-reaching!

*Next Issue: The Benefits of Adding Learning Stations to Your Classroom Curriculum*



# DO YOU KNOW YOU ARE LIABLE?

By: Dawn K. Martini

A great dis-service is being done to our teachers and assistants with respect to the liability they face everyday when walking into a classroom or onto a playground. The dis-service is not that they face the liability. Liability goes with being a professional. The dis-service is that the liability is not explained to them.

As our industry grows and becomes more sophisticated owners have positioned themselves and their businesses in an effort to protect their assets by carrying professional liability insurance policies. Owners have accepted, sometime begrudgingly, the liability that comes part and parcel with providing quality child care services to our nations children.

Owners and the media, have made staff and society aware of the liability that exists in the industry. Staff knows that we live in an extremely litigious society. They know parents are poised to sue when little Johnny falls down and goes boom. Yet, teachers and assistants have nary a clue that the liability extends to them personally.

As the child care industry grows and expects a higher level of professional conduct from its teachers and assistants it becomes increasingly important that they are educated in this regard.

When informed that the personal liability exists, staff who are committed to the children and families we serve will act in a more professional manner. On the other hand, staff who are here because it is a job, just like any other random job, tend to be weeded out because they feel the stakes are now too high.

So where should we begin with this discussion? It is important for staff to understand that when a parent files a lawsuit on behalf of their child, the person or people in the classroom at the time of the incident or injury will be named in the lawsuit in addition to the company. Additional people may also be named depending upon the company's

management/supervisory structure. Further, there is no requirement that the employer provide representation for the staff member. In fact, the company's insurance policy will not cover the liability assessed to the employee, only the liability assessed to the company.

Staff should be aware that they are exposed for their actions or inactions in a number of areas, most commonly: accidents/injuries to the children (these most frequently occur on the playground where supervision is often sub-par) and accusations of child abuse. It is critical for staff to be involved in planning and developing procedures within their classrooms and on the playground in order to be proactive in addressing the liability issue. Staff should be made to read all licensing regulation documents and accreditation standards as well as the Personnel Policy Manual, Procedures Manual and the Parent Handbook in an effort to be best prepared to prevent situations which would lead to lawsuits.

Staff and management should also take a proactive posture with regard to their relationships with parents and children. Many of the lawsuits filed by parents on behalf of their children are frivolous and a result of a parent not understanding the activities or interactions between children or trusting the staff working with their child. Taking the time to teach parents about child care and what activities their child will be engaged in, as well as the common things children do when in group care can go a long way to prevent the lawsuit from being filed in the first place.

From the employers perspective, the more the staff is trained on policy and procedure, the more responsible staff become for their actions or inactions. If you look at liability like a pie-chart the percentage of the pie the staff is responsible for gets larger, while the employers slice of the pie gets smaller. Neither the employee not employer will ever reduce their

responsibility to zero because employers are always responsible for what their employees do on behalf of the company and the employee will always be considered a trained professional and will be held responsible for their own professional conduct.

To be clear, what being liable for your professional conduct translates to for staff is that their personal assets, their home, their car, their possessions, their investments, can be taken to satisfy a civil judgment entered against them.

One comment which is often heard from young staff members is that they don't care about getting sued personally because they don't have anything for the parents or the child to get. They don't own a home yet, have large investments or a big savings account. But the bottom line is that the judgment remains on the record until such time that it is satisfied. The collection process can be done over long periods of time and can involve sheriff sales of acquired property. The collection of the judgment will depend entirely on the aggressiveness of the parents and their attorney. Hoping it the lawsuit won't come your way because you don't have anything is a weak and wishful position from which to come.

Staff may wish to consider buying an individual professional liability insurance plan to protect themselves and their assets. This is a new concept, but there are insurance agents who can write this type of policy. Overall, it would not be prohibitively expensive to be insured in this way and considering the consequences and size of the judgments in accident/injury cases involving children, the price could be a bargain.

Liability in the civil courts is the one area where child care providers are held to a professional standard. As we push for professional recognition on all fronts we can not choose the professional responsibilities we like and ignore the ones we don't. We must embrace the issue of liability as the professionals we are.



## WHERE IN THE WORLD...

Contact us at (215) 785-3400 to see if we can visit your program when we are in town.

**Jan 25 - 27:** Chicago Metro AEYC Chicago, IL.

**Feb 6 - 7:** Region IV Head Start Conference Atlanta, GA.

**Feb 17 - 18:** Bright Beginnings Management Retreat, Anchorage, Alaska

**Feb 19:** Children's Courtyard Management Retreat, Dallas, TX.

**Feb 21 - 24:** Virginia Association for Early Childhood Education Norfolk, VA. For information go to [vaece.org](http://vaece.org)

**Feb 27 - Mar 1:** Ronald V. McGuckin and Associates hosts the Orlando, FL Seminars. For seminar and registration information go to [childproviderlaw.com](http://childproviderlaw.com) or contact Janice Nieliwocki (215) 785-3400

**Mar 10:** CITE Conference, East Brunswick, NJ. For information email [mail@njaeyc.org](mailto:mail@njaeyc.org)

**Mar 8 - 10:** California AEYC San Jose, CA. For information go to [caeyc.net](http://caeyc.net)

**Mar 21 - 23:** National After School Association Phoenix, AZ. For information go to [naaconference.org](http://naaconference.org)

**Mar 24:** Central Florida Child Care Conference Ocala, FL.

**Mar 31:** Central Susquehanna AEYC Williamsport, PA

**Apr 16 - 17:** Mississippi Head Start Conference

**Apr 16 - 19:** National Head Start Association Conference, San Antonio, TX. For information go to [nhsa.org](http://nhsa.org)

**Apr 25:** NACCP Annual Conference Boston, MA. For information go to [nacpp.org](http://nacpp.org)

Ron, Dawn and Jan will be traveling to the following cities for Local, State, Regional and National Conferences on the dates indicated. We welcome you to attend the conferences. Information has been provided so you can contact the organization conducting the training/conference.

If we are going to be in your state or area, we welcome you to contact us about coming to your program or organization to do a private training. The cost of bringing us in to your program or organization is significantly reduced because we are already traveling to your area. We certainly don't mind adding a day or two to our travel schedules to work with you.

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*The Childcare Professional*  
**EXPERIENCE**