

Family Day Care in Germany – the gap between vision and reality

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ABSTRACT: In Germany, family day care has dominated for a long time as a more or less informal provision of childcare. With massive legal changes in the system of Early Childhood Education and Care (ECEC) since 2006, family day care became a part of the formal ECEC system and has now the same comprehensive legal tasks of education and care. This leads both to profound changes and to challenges for the system of family day care. This report provides an overview of current developments in family day care in Germany and the perspectives of its enhancement. In addition to considering the quantitative development, it mainly deals with the paradigms of a qualitative upgrading, which in particular emphasizes the current structures of the public support for family day care such as an adequate advisory system or qualification. We have based this overview mainly on qualitative and quantitative data from research at the German Youth Institute within the last five years. There is still a gap between the development of day care and its legal equality in the ECEC system on the one hand and the conditions condition and everyday structures on the other hand. The quantitative development of family day care does not yet involve a necessary qualitative upgrading of this day care system yet.

Keywords: *Early Years Professionals, Family Day Care Systems, Child-Minders*

Introduction

The German child care scene has focused for many years mainly on the care of children aged from three to six years old. The reasons for this are the social system of standards and values but at the same time the developments of family and labor policies as well. The defined role models of women as housewives and mothers and the men being the breadwinner have just recently changed in Germany. The emancipation movement during the 1970's in Germany has only led to a discussion about the breakup of traditional roles in favor of an intensified educational and work integration of women. The more and higher qualified women have different requirements in their lifestyles which is often reflected with the keyword "reconcilability of family and work life" in Germany.

Since the 1970's, the demand for a lifestyle allowing career advancement as well as starting a family has caused a continuous increase in the provision of child care in Germany. Family day care in particular originated as an alternative movement to the more conservatively and restrictively managed day care centers of the past (Jurczyk et al. 2004). An eyewitness remembers his kindergarten time as follows:

"50 years ago all children were set around the table either on a bench or if you were lucky, on a small chair. You were not able to choose your own toy since the nursery staff allocated a small bowl with playing material either building blocks, sorting blocks or material to be positioned in the correct order. (...) No child was allowed to walk around during the free play time. It was ensured that the children were only talking quietly to one another (Kindergarten St. Pius, Moosburg)".

Contrary to today's common pedagogical concepts in German day care centers, in those days an authoritarian educational style dominated. The child was not seen as a self-determined learner worthy of development but the view was based on the inability of children not being able to make their own decisions. In regards to the relationship between the staff and thirty children, the focus was simply on keeping an eye on them and not actually providing educational or pedagogical based care, which was based on the child's best interest in developing themselves. Criticism of this concept aroused as mentioned before in particular due to the emancipation movement in the 1970's. At that time, family day care has also aroused as counter-concept. In contrast to the care, conditions that were considered as not much appropriate for children in the centers it established a family-friendly form of care. In particular, mothers with small children or women who have their children already at school were looking for a meaningful task such as a childminder.

We can conclude from this that family day care came into existence as an alternative form of care but is also seen as a competitor to day care centers and therefore was not strongly supported by politics. However, family day care in Germany has been established over decades as an alternative form of care which only well-educated families with good income were able to afford and were having another demand in content of day care settings in comparison to the regular offers of day care settings centers (also refer to Pettinger 1996).

Since the end of the 1990s, the realities in regards to family and labor market politics changed again in Germany. Since then a demographic change can be observed (Stock et al. 2012), which is being characterized by falling birth rates and a continuously increasing number of elder people (ibid. Kocka/Staudinger 2010). The implications of family policies subsequently consisted in making the starting of a family more attractive for people in Germany. According to labor market policies, it is necessary to make considerably use of the labor potential of women in order to cover the increased requirements in welfare benefits and care services for more and more elder people in Germany (Weimann-Sandig 2013). The integration of women into professional life is increasingly one of the top requirements in the German labor market politics.

Furthermore, on the one hand it was necessary to take the findings of recent research in early childhood education, developmental psychology and neurophysiology into consideration (Becker 2010; Pauen 2012), on the other hand the included increased expectations of parents in the quality of extra-familial care (critically Leu/von Behr 2010). From the perspective of educational policy, these developments lead to a new professional and social paradigm, which does no longer accept day care settings as just “care” for children but expects also early childhood *education* which would have positive effects on the child development and the further development in school and profession.

Family day care as part of the German system of Early Childhood Education and Care (ECEC) has to conduct to these demands and is therefore faced to new challenges. This article (1) *describes recent developments of Family Day Care in Germany based on the official Statistics on Child and Youth Welfare*. These developments are (2) *primarily analyzed by means of a multi-methodological longitudinal study* (Pabst/Schoyerer 2015), *qualitative-reconstructive studies* (Schoyerer 2014; Schoyerer/Weimann-Sandig 2015) and *content analytical or documentary studies* (e.g. Kerl-Wienecke et al. 2013; Heitkötter/Pabst 2014; Schoyerer et. al. 2015) *from the scientific working environment of the German Youth Institute*. Finally (3) *tendencies for further developments of Family Day Care and necessary steps can be appointed*.

Data and facts of family day care in Germany

The U3 claim and the legal promotion claim in day care

The Childcare Federal Government decided to establish a legal entitlement for children from the first birthday, since August 2013. In order to guarantee a sufficient availability of childcare and to accelerate its extension, the so-called Childcare Funding Act (Kinderförderungsgesetz (KiföG)) came into force on December 16th, 2008. Since politics was aware that childcare could not only be provided by childcare centers, the Childcare Funding Act (KiföG) provided for an extension of Family Day Care by 30 %.

At the same time, the day care system for young children experienced some basic changes in federal law in the Eighth Social Security Statute Book (SGB VIII) for the past few years, which also corresponds to a formal redefinition of the contents of tasks. Family day care and day care centers have the same comprehensive legal task of Early Childhood Education and Care since 2005 (§§ 22 sq. SGB VIII). This shift from a mainly care orientated setting with complementary character to a public responsible form of care and education tasks means a considerable upgrading and at the same time a major challenge for the system of family day care. After all, family day care was mostly unsupervised for a long time and organized with only a few standards in the private field. It was often oriented as a "casual" activity, which did not provide a living wage as well as the pedagogical matters, were mainly individualized on the personal commitment of the childminder depending on single municipal initiatives (Schoyerer 2014).

Evolution of the number of family day care since 2006

In Germany, the extension of the numbers in family day care was dynamically developed in the past years. Figure 1 shows how the number of children under 3 in family day care increased in Germany's old and new states from 2006 to 2013. For instance, in the east, the number of children during this term increased from 9.031 to 16.506, which corresponds to an increase of about 83%. In western Germany, the number of children under three years old in family day care almost tripled in the same term from 20.969 (2006) to 70.841 (2013).

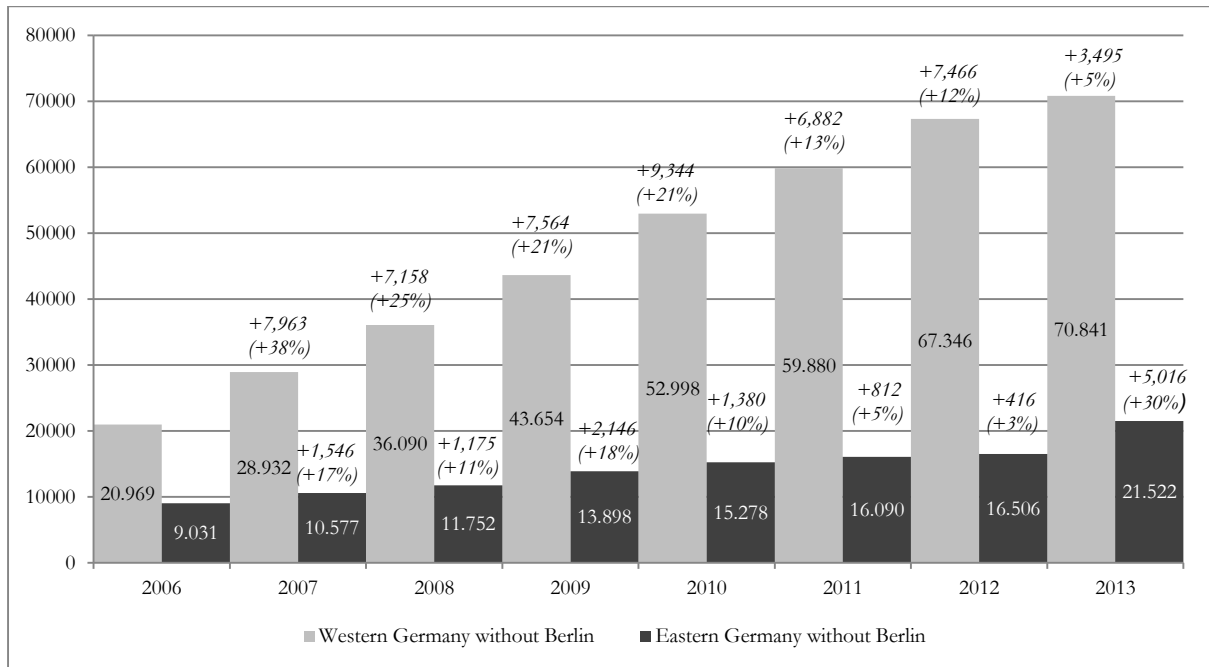


Figure 1 Development of the number of children U3 in family day care (2006-2013), (German Statistical Office 2006-2013, own calculations)

The enhancement of children in family day care did not correspond to a comparable increase regarding the number of childminders. Figure 2 shows the comparatively restrained growth rates of childminders. In the new German Federal States, the number of new childminders since 2012 is even declining.

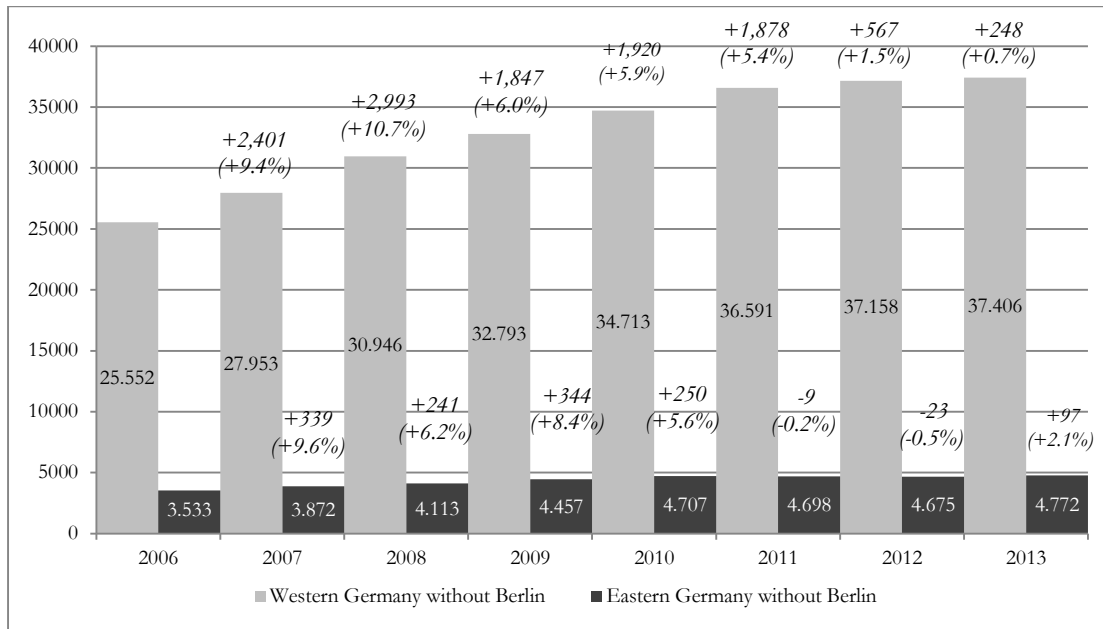


Figure 2 Development of the number of childminders (2006-2013), (German Statistical Office 2006-2013, own calculations)

Two reasons for the restrained growth rates of new childminders can be mentioned: on the one hand, in Germany we can see an increasing development towards the care of several children by one childminder and on the other hand, this activity in family day care is still not very attractive with regards to the currently applicable labor and wage conditions. Furthermore, since 2011, childminders are obliged to pay social security contributions, the obligation of equally treated tax payment as well as the charges of payments from the SGB II. In addition, the different implemented guidelines on country and municipality level in the field of food hygiene may also contribute to this declining development.

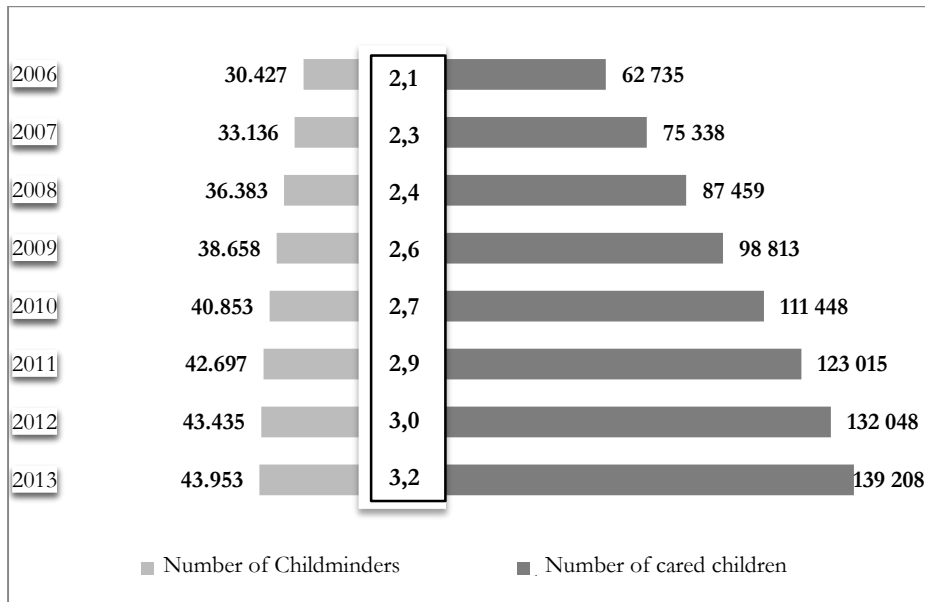


Figure 3 Children cared for in family day care and the average number of children per a childminder, 2006-2013, (German Statistical Office 2006-2013, own calculations)

In 2013 a total of 139.668 children of the age of 0 to 14 years were cared in family day care (German Federal Statistical Office, report on child and youth welfare 2013). Compared to the same year about 1.9 million children were cared in child care centers (German Federal Statistical Office, report on child and youth welfare 2013). So these figures illustrate the dominance of the institutional care offers but also reflect the increasing numbers in Family day care especially under 3 years old.

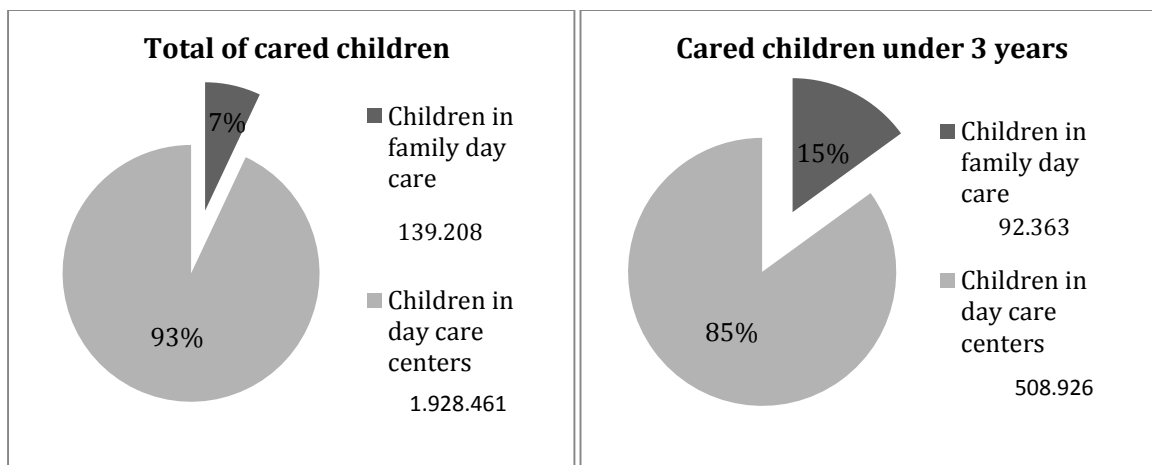


Figure 4 Children cared for in family day care and the average number of children per a childminder, 2013, (German Statistical Office 2006-2013, own calculations)

Qualification, care permit and control of childminders

The examination of the qualification of childminders represents one tool for quality assurance in family day care. Without successfully having past the qualifying exam of the youth welfare office a child must not be given to a childminder.

The examination of the qualification is prescribed by federal law and in the SGB VIII it is formulated in two contexts: On the one hand, in the § 23 SGB VIII the quality requirements in family day care in terms of education and care is formulated including the guarantee of qualification of the childminder (§ 23 Para. 3 SGB VIII). On the other hand in line with the child and youth welfare development law (KICK), in § 43 SGB VIII an independent regulation of the permission for family day care was included. The regulation interpreted as averting of danger identifies the state's function as a watchdog, which the youth welfare offices holds in order to protect children in Family Day Care relations. The permission is given by the youth welfare office, which requires that the childminder has the necessary qualifications for the activity in family day care. A person is regarded qualified for the activity in the family day care (§§ 23 Para. 3 and 43 Para. 2 SGB VIII), if

- this person is characterized by its expertise and willingness to cooperate with the parents and other childminders,
- he/she disposes him/herself of rooms suitable for children,
- he/she possesses knowledge about the requirements in an activity as a childminder gathered in deep and qualified training courses or in any other way.

A well-maintained aptitude is always required, if family day care is

- publicly supported, i.e. attributed and/or financed by the municipal responsible body of the public youth welfare (§ 23 SGB VIII) or
- subject to authorization (§ 43 SGB VIII). I.e. the statutory permission requirements includes governmental supported as well as private forms of Family Day Care at which
 - one or several children and up to five foreign children are being cared at the same time outside the household of their parents
 - for more than 15 hours a week
 - at a certain time of the day, regardless if during daytime, in the evening or at night (other than center based child care according to § 44 SGB VIII)

- against payment (payment by public responsible bodies according to § 23 SGB VIII or any financial contribution in terms of money /near-cash income) and may be
- (presumably) cared for more than three months.

The examination of the quality of potential childminders is in its extent a peculiarity in family day care and thus would not exist in any other pedagogical field. Finally, this tool offers the possibility to examine the personal and social competences before and during the qualification of potential childminders and intervene to the activity in family day care, if the corresponding person is not sufficiently qualified (Kerl-Wienecke et al. 2013). Thus a conscientiously and systematic procedure of determining the qualification is also important regarding its effect on the pedagogical quality. Such assumptions are not yet empirically proven in Germany but international studies point out these circumstances (Doherty et al. 2006; Bromer et al. 2009; Raikes et al. 2005).

Contrary to day care centers, which are taking place in properly build and tightly regimented rooms, family day care disposes of most different forms which are represented below. However, Figure 5 emphasizes with regard to group sizes that there is a considerable difference between day care centers and family day care:

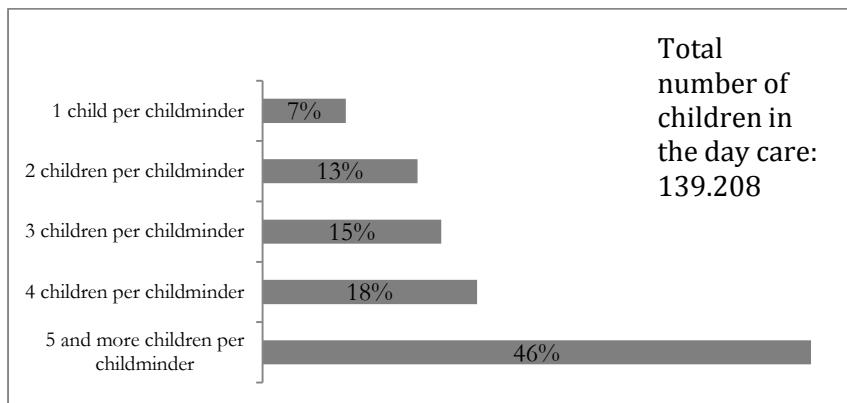


Figure 5 Children in family day care according to the size of groups cared for by childminders, 2013, in %, (German Statistical Office 2006-2013, own calculations)

Forms of family day care in Germany

In Germany, there is a distinguish between roughly four forms of family day care (Pabst & Schoyerer 2014): Family day care within the household of the parents, family day care in the household of a childminder, family day care in rented rooms such as the so-called Group Family Day Care. In family day care within the household of the parents the childminder is generally employed by the parents and thus instruction-dependent. In the current language these childminders are called "nannies".

In family day care within the household of the childminder, they provide their private rooms which were considered to be suitable for the care of children at disposal. For this form of care, the childminders may care for a maximum of five children at a time, if they do not have any pedagogic education. If they have a pedagogic education, they are not allowed to care for more children than a comparable day care center. In any case, the activity of a childminder in their own household requires the permission of the responsible youth welfare office and generally valid care permission (Schnock 2009; Kerl-Wienecke et al. 2013).

The conditions for family day care in rented rooms are not uniformly stipulated by the German legislator but delegated as legal reservation to the federal states. The result is that the federal states are using this reservation in different ways and subsequently the regulations considerably deviate in the different federal states. For instance, the national law may be the condition for ruling the rented rooms which shall provide among others sufficient space for playing, a stimulating design, suitable playing and occupational materials, accident prevention and good hygienic conditions as well as a sleeping accommodation for infants.

In the group family day care several childminders join together but each childminder needs an official permission to be able to work. Contrary to a day-nursery or a kindergarten the childminders obtain care permission for a maximum of five children. Therefore the childminder is in legal form still bound to be responsible of his/her children in order to ensure a care setting "similar to life in a family" as well as an acceptable relationship between the children and the responsible childminder.

The possibilities of the organization and legal basics of group family day care also vary due to legal reservation from one federal state to another and partially considerably differentiate itself (Pabst & Schoyerer 2014; Heitkötter/Pabst 2014). Some states exclude this form of family day care up to now among others with a reference to an unclear and little evident education and care profile between classical family day care and day care

centers. It is often critically argued that group family day care could have a negative impact on existing standards in day care centers and thus might advance to a "kindergarten light" (Seckinger 2014). On the other hand, from the perspective of the childminder, in particular the group family day care, can promote the exchange to provide more reliability and contribution to living incomes. Regarding the pedagogic quality of group family day care, it is little known up to today, so it will not be possible to make a final decision even though group family day care would be referred to quite positively in this context (Tietze et al. 2014).

In western and eastern Germany there are several different trends regarding the development of family day care forms. Figure 6 illustrates this by means of the regional distinction according to the number of the cared children per childminder. In eastern Germany a much stronger trend to care for several children by one person and towards group family day care is being illustrated. In western Germany there is still a considerable trend to family-similar family day care with one or two children to be cared for.

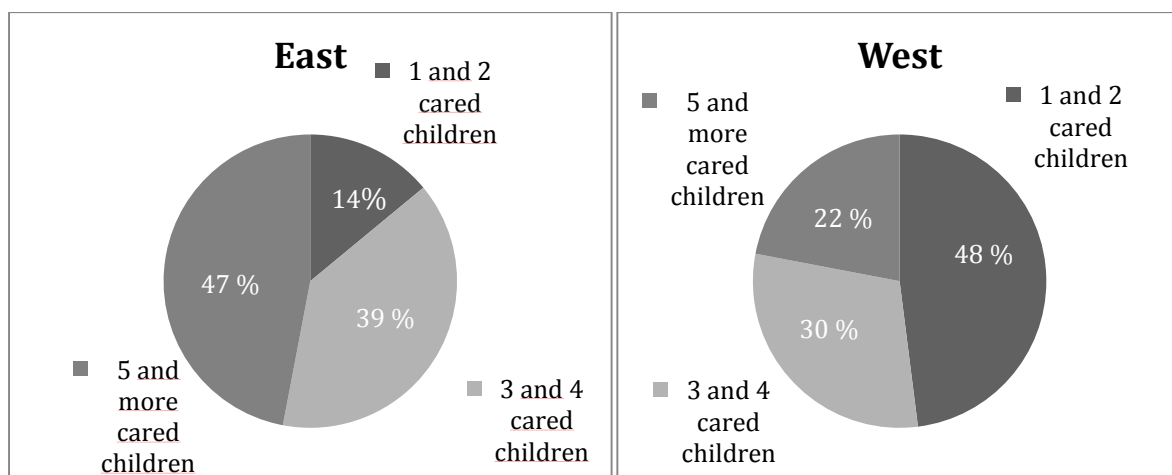


Figure 6 Childminders according to the number of children cared for and areas, 2013, parts in %, (German Statistical Office 2006-2013, own calculations)

Whereas the care of one to a maximum of two children by the childminders is mainly performed as an additional income to the main income of the husband; the trend in eastern Germany is much more towards having the family day care activity as main income. Accordingly a consideration seems to be worthwhile which is based on the employment relationships in family day care in Germany.

Employment relationships in family day care

Up to now family day care in Germany is mainly organized as independent activities. According to substantiated estimations only 2-4 % of the active childminders are having an employment subject to social security deductions (Pabst/Schoyerer 2014). However, the self-dependent work may have advantages for childminders in particular with regard to the specific care events in form of relatively self-responsible and independent organization of daily routines. The disadvantage of independent work is the "economic personal responsibility" which particularly targets on the payment of social security contributions as well as the field of long-term securing of living income. Of course, each childminder has to care for needs to register.

Whereas most persons in Germany who are employed in a dependent employment and are subject to social security would be therefore insured against possible risks such as illness or accident the self-employed have to pay social and pension insurance payments on their own. If the monthly income of the childminder for instance exceeds 395 €, it would be no longer possible to include her in the family insurance of her husband and therefore has to arrange her own health insurance. The same applies to the pension insurance: if the monthly income of the childminder exceeds 450 €, she has to pay contributions for the pension insurance. Also the third liability insurance forms an integral part of the activity. Since January 1st, 2009, childminders have to pay taxes on all incomes from family day care activities (this includes all incomes for the acceptance of sponsorship as well as the reimbursement of material costs) independent from how many children they care for and if the incomes have been paid privately or publicly. Previously only private incomes were liable to tax payment.

Contrary to these charges sometimes considerably varying and highly diverging incomes of the childminders in the federal average have been observed (Sell/Kukula 2012). Even though Family Day Care is accepted as an equal form of child care in Germany, according to the federal statutory regulations, not all federal states pursue the real equality in regards to a comparable financial treatment which might be regarded as an infringement of the equality prescribed in the SGB VIII. Thus, childcare in a day care center in some federal states is free of charge whereas the parents have to pay for care in family day care. Also, childminders often can only invoice actually worked hours for care, i.e. with regard to illness of the children or holiday of the parents often do not have constant income but have to bear the cost incurred in case of replacement offers provided by the local body if they used these services (Schoyerer/Weimann-Sandig 2014).

In family day care regular flat sums are withdrawn from the parents regardless of the fact that the children have used care or not. To sum up the self-employed activity of childminders can be described as regionally highly varying. At this point, being a childminder is deemed as less rewarding or embarrassing depending on the federal state where the childminder is working.

Currently, the options of an employment subject to social insurance contributions are intensively discussed. Starting from the assumption that a permanent position as an employed person would contribute to eliminate social uncertainties of the childminder and guarantee their continuous integration into employment. The option of a permanent position of childminders is not only reserved to public bodies but can also being perceived by private bodies. Through this, the childminders might have the advantage of having a contractually fixed monthly income. Furthermore, the options of permanent positions might increase the chance of a recall to institutionalized network structures as well as the integration into a regular specialist exchange. Permanent position structures might render a better care continuity and reliability for parents. Furthermore, parents perceive an upgrading regarding the care quality since they hope that childminders are continuously trained in the interest of the body. This is insofar important since the activity of childminders in Germany does not coincide with the necessity of a completion of an independent training. In point of fact family day care contrary to the day care centers, which presumes approved state qualifications, this activity is a low-threshold access to the field of child care and is particularly suitable for career changers (Schoyerer/Weimann-Sandig 2014).

Qualification and vocational training of childminders in Germany

The federal law indicates in SGB VIII § 23 that childminders need to be qualified for their activity and need to submit the proof of knowledge regarding the requirements as childminder. The specialization needs to be proven with an approved qualification or in any other way. A certain level regarding the amount of qualification is not given in the SGB VIII. A pedagogical training is not imperatively required – except for an activity in group family day care. The amount and scope of the required qualification are given by the responsible local authorities that would take the state laws into consideration. Since each local authority independently determines the qualification conditions for its area of activity this leads to quite different qualification structures of childminders throughout Germany ranging from pedagogic professional qualifications up to persons without any qualification (Pabst/Schoyerer 2014).

In 2013, the majority of childminders in Germany have completed a qualification course for Family Day Care where the major part could prove at least 160 qualification hours or more. Nonetheless, these qualification measures do not represent an approved professional qualification compared to pediatric nurses, socio-pedagogical assistance or educators. In 2013, at least one third (31 %) of all childminders had a pedagogical (higher-) education. This includes persons within the range between a qualification on the level of a socio-pedagogical assistance as well as a pedagogical higher education or a technical college qualification. As Figure 7 shows, almost 14 % of the childminders have been qualified as educators (German Federal Statistical Office, child and youth welfare statistic 2013).

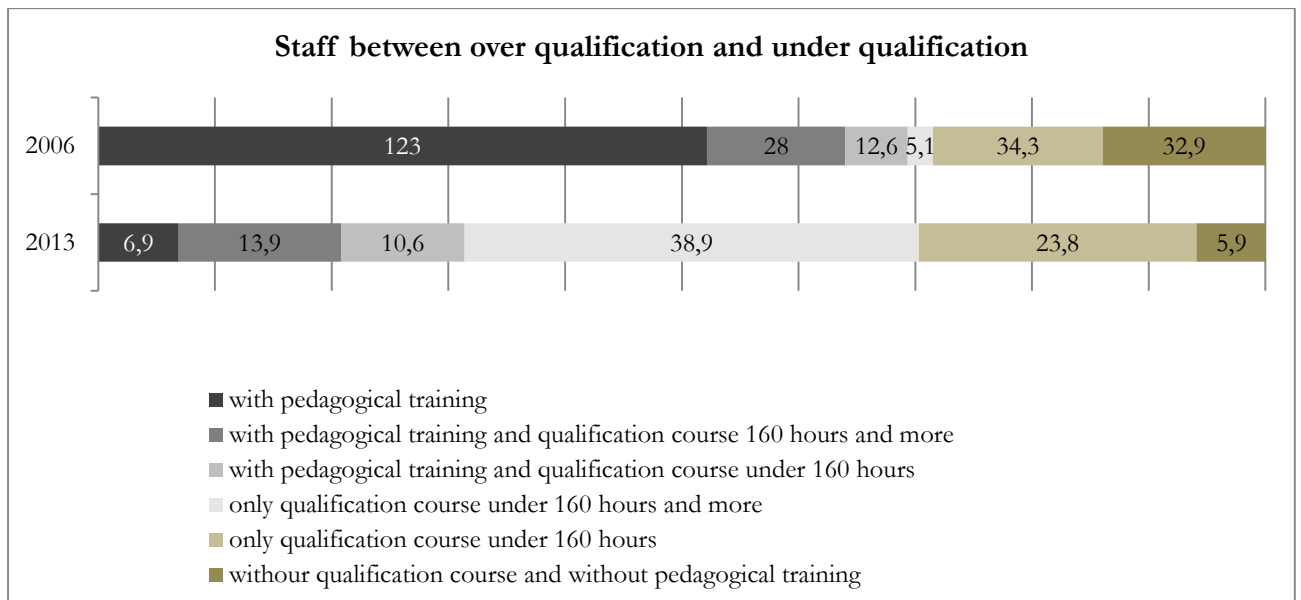


Figure 7. Development of level of qualification of childminders, 2006-2013, (German Statistical Office 2006-2013, own calculations)

Accordingly, the assumption can be stated from the increase in obtaining the basic qualification of childminders in the last few years in Germany. However, currently there is a lack of discussion about a standardized qualification of family day care which offers appropriate options for an opportunity in a recognized vocational training in modular form. Although there were first impulses from the family politics in the frame of the "Action Program Family Day Care" which promoted accompanying professional education from childminders to educators, the program has been stopped after a trial period of two years. Lack of demand and mainly the still missing uniform structures of the childminders in

Germany might be mentioned as reasons for this (Schoyerer/Weimann-Sandig 2014). The different qualification conditions in day care centers and family day care however upset the parents since the striking characteristics of family day care are still little known.

Quality and quality assurance in family day care

As shown above childminders have a considerably lower level of formal qualifications. However, empirical studies on pedagogical quality and child development parameters have so far shown them to be on a par with day care centres. The German NUBBEK study (Tietze et al. 2014), for example, compared descriptive results from family day care and nursery groups for children under three, taking into account aspects relating to measuring methodology and found hardly any difference in the level of pedagogical quality. Both receive medium scores for pedagogical quality. As a possible reason for this the authors point to a possible over-representation of “larger family day care facilities and childminders with higher pedagogical qualifications” (ibid., p. 15). This finding is somewhat confusing, given that the proportion of educators with pedagogical training is much higher among day care staff than in family day care.

The confusion increases, if we look at the studies by Ahnert (2010) and Ahnert et al. (2014). These were able to demonstrate that children cared for by a childminder showed significantly higher values for attachment quality (AQS) and, on average, higher values for cognitive development (BSDI), than children looked after by educators (*Erzieher/Erzieherinnen*) in day care centres. The surprising thing here is that the good results of children cared for by childminders may have quite different causes, since the sample used by Ahnert (2010) and Ahnert et al. (2014) includes various types of childminders in comparably sized samples. Thus this result cannot be ascribed solely to the degree of qualification.

It is therefore considered that the system advisory and support in local authorities is important for the extension and the insurance of quality in family day care (Schoyerer 2014; Pabst/Schoyerer 2014). It formally applies as core piece of the professional control and coordination of the local systems of family day care and refers in their understanding to all questions of childminders and parents. Other than for day care centers the German legislator formulated in the SGB VIII also an explicit advice claim which is binding for all youth welfare areas. Also the regulation of the representation is a binding obligatory task for the public youth welfare bodies regarding federal law.

As a central target of the professional advisory and support system the development and further enhancement of structures is applicable which have quality insuring and quality increasing effects on the care of children in Family Day Care. Since Family Day Care is no independent pedagogically professionalized occupational field it falls in the tasks of the advisory and support system to ensure the quality of the care in a way that the tasks of education and care can be realized. The practice-oriented advice of childminders regarding pedagogical questions and organizational questions of their everyday education resp. regarding questions of the enhancement of their Family Day Care setting or the independence applies as important part of the system of Family Day Care.

Current results point out that the advisory and support system for childminders often do not have sufficient staff resources in order to be able to provide a sufficient quantity of advice and support to the childminders. Moreover, additional resources are required for this system in the course of an increasing differentiation as required by the care settings within the legal term of Family Day Care how it may be currently observed in particular on the example of Group Day Care (Pabst/Schoyerer 2014).

Outlook and current development lines

The paper points out, that family day care in Germany went through a highly dynamic development, which still progresses further on. Within a few years it merged from a side issue in the spectrum of child and youth welfare to an approved and demanded form of care in the system of child care. A glance at other European countries shows that family day care quite exists in the spectrum of public child care, thus it is highly established only in a few countries like in France, Austria, Belgium or the Nordic countries (Eurydice 2014).

It also stated that the initially low degree of federal law regulations in Germany at municipal level led to the fact that under the legal term of Family Day Care numerous different care settings and forms with different profiles are developing (Schoyerer 2014). Thus, family day care differentiates itself not only regarding the forms, but also subsequently in particular regarding the pedagogical contexts of activity and care characteristics. Although it is assumed that the peculiarities of family day care are based on the personal relationships between the childminder and the child resp. its parents as well as its family-like reference to everyday life simulating real life the question of the specifics of family day care from the empiric point of view is still mostly unsettled.

Despite of these unsettled questions, current findings regarding the pedagogical quality point out that family day care and center based child care can be compared under certain circumstances. Taking high variances into consideration in particular in family day care both forms of care have an average pedagogical quality. Developmental research could even show that infants cared for by a childminder present higher value of attachment quality as well as on average higher values of the cognitive development than children cared for by educators. Possibly this can go back to the favorable care setting with small groups of children and a good care key for infants. Also parents are very content with the form of family day care on an average and compared to parents with children in child day centers are even more content (BMFSFJ 2012).

In conclusion, the current discussion on further developments of family day care focuses in particular on (1) status, profession and qualification-related developments at the level of Childminders, (2) on the structural conditions of the advisory and support system at the level of the local authorities as well as (3) the aspects in connection with control and integration of family day care into the local system of child care. It is sensible to check at which level standards are reasonably increased and how guidelines of (federal) law need to be made, in order to achieve the effects which are aimed for qualitative enhancement of the system of family day care. Therefore, the self-conception of family day care as family-similar alternative towards day care centers which developed historically needs to be considered, if family day care will remain recognizable in the spectrum of provisions in Germany's day care system for young children. A well-meant but insufficiently thought-through standardization strategy of family day care would possibly have opposite effects of what one has originally intended.

Nonetheless, in the next few years, it should be considered how the quantitative development of family day care can be further qualitatively outnumbered. The childminders need structures allowing them a long-term safeguarding as well as continued care. The competition taking place between day care centers, which court for the care of children of less than three years, due to the guidelines for financial support and allocation and the childminders due to the U3 legal claim are often at the expense of the latter. Therefore, the legal equality of family day care in Germany is not yet realized in the reality for the concerned children, parents and childminders. It remains to be observed in how far this step can be further implemented in the frame of the political system.

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