

Date of Hearing: July 1, 2026

ASSEMBLY COMMITTEE ON EDUCATION

Darshana R. Patel, Chair

SB 549 (Allen) – As Amended June 11, 2026

SENATE VOTE: 28-10

SUBJECT: Heritage schools: enrollment and notice

SUMMARY: Authorizes heritage schools to serve students who are at least 4 years and 9 months of age or who are enrolled in transitional kindergarten (TK) and requires notification to parents of specified information. Specifically, **this bill:**

- 1) Authorizes heritage schools to serve children enrolled in TK or who are at least 4 years and 9 months of age.
- 2) Requires the notification to a student’s parent or guardian, upon enrollment in the heritage school, to include a statement that the California Department of Education (CDE) has no regulatory authority over heritage schools and does not monitor heritage school operations or instruction.

EXISTING LAW:

- 1) Defines a “heritage school” as a school that serves children who are at least 4 years and 9 months of age and no older than 18 years of age, who attend a public or private full-time day school, that maintains membership in a state or national cultural or language association, has regular hours of operation, does not operate out of a residential home, and which provides:
 - a) Education or academic tutoring, or both in a world language;
 - b) Education on the culture, traditions, or history of a country other than the United States (U.S.); and
 - c) Culturally enriching activities, including but not limited to, art, dancing, games, or singing, based on the culture or customs of a country other than the U.S. (Education Code (EC) 33195.4)
- 2) Requires a person or corporation operating a heritage school to file an electronic registration form with the Superintendent of Public Instruction (SPI) annually in January, including the following information: name of entity doing business as a heritage school; address and telephone number of the heritage school; names and addresses of directors and principal officers; school enrollment by grade span, number of teachers, and whether the school is coeducational or limited to boys or girls; assurances that records of the courses of study offered and the names and qualifications of faculty members are maintained at the school; a criminal record summary for every employee; and an acknowledgement that the director and all employees are mandated reporters. (EC 33195)
- 3) Prohibits the heritage school from claiming that the filing of the registration form represents that the State of California, the SPI, the State Board of Education (SBE), the CDE, or any

other accrediting agency has made an evaluation, recognition, approval, or endorsement of the school or course unless this is an actual fact. (EC 33195)

- 4) Specifies that the filing of the registration form does not grant a heritage school a right to receive state funding. (EC 33195)
- 5) Prohibits a heritage school from employing a person who would be prohibited from employment by a public school district, including because of their conviction for any crime. (EC 33195.1)
- 6) Requires the employees of an entity that has a contract with a heritage school and may have contact with students to have submitted their fingerprints to the Department of Justice (DOJ) and prohibits those employees to come into contact with students until the DOJ has ascertained that the employee has not been convicted of a felony. (EC 33195.2)
- 7) Establishes the Heritage Enrichment Resource Fund in the State Treasury, funded through registration fees, and authorizes the SPI to expend funds, upon appropriation, to process payments for the registration of heritage schools. (EC 33195.5)
- 8) Requires the director of a heritage school to undergo at least 15 hours of health and safety training, including but not limited to the following topics: pediatric first aid, prevention of infectious diseases, immunizations, prevention of childhood injuries, and pediatric cardiopulmonary resuscitation (CPR). (EC 33195.6)
- 9) Requires all employees and volunteers of a heritage school to be in good health, as verified by a health screening including a test for tuberculosis; and requires students attending a heritage school to have access to working sinks, toilets, and drinking water, and not to have access to medication or cleaning supplies. (EC 33195.6)
- 10) Requires a heritage school to notify the parent or guardian upon the enrollment of their child that the heritage school is exempt from childcare licensure and that attendance at a heritage school does not satisfy California's compulsory education requirements. (EC 33195.6)
- 11) Defines "transitional kindergarten" as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. (EC 48000)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, "In 2021, California created universal transitional kindergarten (TK) so that all four-year-olds have access to free public TK. That commitment was pivotal in expanding access to early learning for children. Now that more four-year-olds are attending school, families must adjust their childcare plans for the gaps that may exist until a parent or guardian is available to pick them up, since the school day may not match work schedules.

Existing law establishes Heritage Schools as out-of-school programs that offer additional learning opportunities and activities based on a particular culture and language. However,

existing law also establishes the minimum age to attend these schools at four years and nine months old. With the establishment of universal TK, this law has not been updated to recognize the need for after-school programs for TK students. This bill will allow TK students to attend Heritage Schools and benefit from their after-school programming, while giving families another option for childcare.”

This bill would authorize heritage schools to serve children enrolled in TK who may be very young 4-year olds as a child entering TK must be 4 years old by September 1 of the school year. Current law requires children to be at least 4 years and 9 months old to be served in a heritage school.

Heritage schools are not subject to state oversight. Heritage schools are schools or programs that operate outside of compulsory education to offer instruction in the culture, traditions, or history, and language of a country other than the U.S.

The CDE does not monitor heritage school operations, instruction, or the data submitted on the annual registration form. The only role of the CDE is to maintain the Heritage School Registration form and process. Similarly, heritage schools are exempt from childcare licensing, so the Department of Social Services (DSS) has no responsibility to recognize or monitor these schools or programs.

A heritage school building, like any other privately owned building, must comply with the requirements imposed by the county, city, and other agencies within whose jurisdiction the building is located. Such requirements include zoning, health and safety codes, fire codes, and other local ordinances.

Heritage schools are required by law to comply with numerous health and safety provisions, including the following requirements: the director and all employees and contractors having contact with students have clear background checks; the director and all employees are mandated reports and have received the necessary training; the director has received 15 hours of training in health and safety topics including first aid, CPR, and injury prevention; all employees and volunteers be in good health as verified by a health screening, including a test for tuberculosis; and students have access to working sinks, toilets, and drinking water.

Enrollment in heritage schools. According to the latest data available from the CDE, there are 1,011 heritage schools registered with the CDE, with a total enrollment of 133,537 students. Of these, 95% of the students are enrolled in kindergarten through 6th grade and 5% in grades 7 to 12.

TK universally available to 4-year olds. School districts and county offices of education (COEs) operating kindergarten programs must offer TK for age-eligible children to attend, however not every school site in a district is required to offer TK. According to a report by the Learning Policy Institute, *California’s Universal Prekindergarten Implementation 2024-25*, 94% of local educational agencies (LEAs) responding to a survey reported offering TK and 70% of these offered TK at all applicable school sites. LEAs may offer TK as a part-day or full-day program. The LPI report notes that 85% of LEAs offered a full-day TK option and 88% offered expanded learning programs for TK students to provide care for out-of-school hours.

Children are age-eligible to attend TK if they will have their 4th birthday on or before September 1st of the school year, however attendance is not mandatory. In the 2025-26 school year, a total

of 213,313 children were enrolled in TK statewide, up from 177,570 in the 2024-25 school year. The LPI reports that this represented 55% of the TK eligible population of 4-year olds. The overall uptake of TK has declined through the period of expansion of the program in recent years, which may be due to lack of awareness of TK, differing family preferences and needs, or potential barriers to enrollment.

Supervision of young children. According to the National Association for the Education of Young Children (NAEYC), the gold standard recommendation for adult to child ratios in childcare programs for 4-year olds is 1:10. In California, TK classes require one adult for every 10 students. Similarly, a school offering the Expanded Learning Opportunities Program (ELOP) outside of school hours must maintain a staff to pupil ratio of 1:10 if they are working with pupils in TK or kindergarten. Contractors operating a California State Preschool Program (CSPP) serving 3 and 4-year old children must maintain an adult to child ratio of 1:8. ***The Committee may wish to consider*** the fact that heritage schools have no mandated adult to child ratios for serving children as young as 4-years old as proposed in this bill.

Arguments in support. The Beth Shir Shalom writes, “With the full implementation of California’s universal Transitional Kindergarten program, TK students are now part of the K-12 educational system and have many of the same after-school needs as older students. Families often rely on after-school programs to provide a safe and enriching environment while parents and guardians are working. However, current law prevents many TK students from enrolling in Heritage School programs because of outdated age requirements.

This issue directly affects our community. Beth Shir Shalom operates an after-school program registered as a Heritage School, while our Early Childhood Center is licensed separately as a childcare center. Our Heritage School program offers instruction in Jewish culture, traditions, and Hebrew language, along with homework support and transportation from local public schools.

Unfortunately, we have had to turn away numerous TK students whose families wish to enroll them in AfterShul because they do not meet the current minimum age requirement. While these students may technically be eligible for our Early Childhood Center, that setting is often not developmentally or logistically appropriate for children who are already attending TK during the school day. As a result, families lose access to a program that best meets their needs, and childcare spaces intended for younger children are used by school-aged students.

SB 549 provides a practical solution by allowing students who are enrolled in kindergarten, including TK, to attend Heritage Schools regardless of whether they meet the current minimum age requirement. This change would ensure that all school-aged children have access to the cultural, educational, and enrichment opportunities that Heritage Schools provide.”

Related legislation. AB 2796 (Committee on Public Safety) of the 2025-26 Session, makes various changes to existing laws authorizing federal-level background checks to be conducted in relation to employment, volunteering, and licensing, including for heritage schools.

SB 1137 (Huff) Chapter 221, Statutes of 2012, modifies the information to be contained in the electronic registration form which existing law requires every person, firm, association, partnership or corporation operating a heritage school to submit, under penalty of perjury, to the SPI.

SB 1116 (Huff) Chapter 286, Statutes of 2010, establishes that heritage schools are not childcare centers, relieved the heritage schools from complying with childcare licensing requirements, and established an alternative registration process/system through the SPI.

REGISTERED SUPPORT / OPPOSITION:**Support**

Beth Shir Shalom
Jewish California

Opposition

None on file

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