

SENATE THIRD READING
SB 549 (Allen)
As Amended August 17, 2026
Majority vote

SUMMARY

Authorizes heritage schools to serve students who are at least four years and nine months of age or who are enrolled in transitional kindergarten (TK) and requires notification to parents of specified information.

Major Provisions

- 1) Authorizes heritage schools to serve children enrolled in TK or who are at least four years and nine 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.

COMMENTS

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

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."

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."

Arguments in Opposition

None on file

FISCAL COMMENTS

The Office of Legislative Counsel has keyed this bill as non-fiscal.

VOTES**SENATE FLOOR: 28-10-2**

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ABS, ABST OR NV: Limón, Reyes

ASM LOCAL GOVERNMENT: 4-1-5

YES: Carrillo, Pacheco, Blanca Rubio, Stefani

NO: Ta

ABS, ABST OR NV: Hoover, Ramos, Ransom, Ward, Wilson

ASM EDUCATION: 8-0-1

YES: Patel, Hoover, Alvarez, Bonta, Castillo, Lowenthal, Pellerin, Zbur

ABS, ABST OR NV: Garcia

UPDATED

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CONSULTANT: Debbie Look / ED. / (916) 319-2087

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