

UNFINISHED BUSINESS

Bill No: SB 549
Author: Allen (D), et al.
Amended: 8/17/26
Vote: 21

PRIOR SENATE VOTES NOT RELEVANT PURSUANT TO SENATE RULE
29.10(d)

SENATE EDUCATION COMMITTEE: 7-0, 8/26/26
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Reyes

ASSEMBLY FLOOR: 75-0, 8/25/26 - See last page for vote

SUBJECT: Heritage schools: enrollment and notice

SOURCE: Author

DIGEST: This bill (1) authorizes heritage schools to serve children who are enrolled in transitional kindergarten (TK), effectively serving children who are at least 4 years old, instead of children who are at least 4 years and 9 months of age, and (2) requires heritage schools to provide notice to a child's parent or guardian stating that the California Department of Education (CDE) has no regulatory authority over heritage schools and does not monitor heritage school operations or instruction.

Assembly Amendments replace the contents of the version of the bill amended June 23, 2025 to instead authorize heritage schools to serve children who are 4 years old, instead of 4 years and 9 months old, and requires heritage schools to provide notice to a child's parent or guardian, as specified. The amendments also add language to avoid chaptering out issues with a section amended by this bill.

ANALYSIS:

Existing law, effective January 1, 2027:

- 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; maintains in its possession a copy of the registration form electronically filed with the Education Commissioner; and which offers all of the following:
 - 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.).
 - 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, firm, association, partnership, or corporation operating a heritage school to file an electronic registration form with the Education Commissioner annually in January, including the following information for that current year:
 - a) All names, whether real or fictitious, of the person, firm, association, partnership, or corporation under which it has done or is doing business.
 - b) Address and telephone number of the heritage school.
 - c) Names and addresses of the directors and principal officers of the person, firm, association, partnership, or corporation.
 - d) School enrollment by grade span, number of teachers, and whether the school is coeducational or limited to boys or girls.
 - e) Assurances that records of the courses of study offered and the names, addresses, and qualifications of faculty members are maintained at the school and are true and accurate.
 - f) A criminal record summary for every employee.
 - g) An acknowledgement that the director and all employees are mandated reporters. (EC § 33195)
- 3) Prohibits the heritage school from expressing that the filing of the registration form represents that the State of California, the Education Commissioner, the

State Board of Education (SBE), the CDE, or an 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 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 that may have contact with students to submit or have submitted their fingerprints to the Department of Justice (DOJ) and prohibits those employees to come in 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 for heritage schools, and authorizes the Education Commissioner 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 and 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 not be subject to licensure by the California Department of Social Services (CDSS), and requires a heritage school to notify the parent or guardian upon the enrollment of their child that the heritage school is exempt from child care 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)
- 12) Requires that a child be admitted to a kindergarten maintained by the school district at the beginning of a school year if the child will have their fifth birthday by September 1 of the school year. (EC § 48000)
- 13) Requires a school district or charter school, as a condition of receipt of apportionment for pupils in a TK program, ensure that a child who will have their fourth birthday by September 1 to be admitted to a TK program maintained by the school district or charter school. (EC § 48000)
- 14) Requires, commencing with the 2025-26 school year, to maintain an average of at least one adult for every 10 pupils for TK classrooms. (EC § 48000)
- 15) Requires each person between the ages of 6 and 18 years old to be subject to compulsory full-time education, unless specifically exempted. (EC § 48200)

This bill:

- 1) Authorizes heritage schools to serve students who are enrolled in TK, in addition to children who are enrolled in kindergarten or grades 1 to 12, inclusive.
- 2) Requires heritage schools to provide a notice to the pupil’s parent or guardian stating that CDE has no regulatory authority over heritage schools and does not monitor heritage school operations or instruction.
- 3) Makes technical and clarifying changes, including chaptering out changes.

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.”

The author continues, “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.”

What are heritage schools? Existing law 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 and who also attend a public or private full-time day school. Heritage schools do not satisfy the state’s compulsory education requirements and therefore operate outside of compulsory education to offer supplemental instruction in the culture, traditions, or history, and language of a country other than the U.S. Many heritage schools also offer before school or after school programs. Heritage schools must file an electronic registration form with the Education Commissioner beginning January 1, 2027 (and previously with the Superintendent of Public Instruction (SPI)), and a list of heritage schools can be found on CDE’s website.

CDE’s database of heritage schools include programs ranging from those run by a Greek Orthodox church and a Chinese Baptist church, a Japanese language and cultural study program, a Hebrew school, and corporations that run before school and after school programs in many locations throughout the state. According to the registration data available from CDE from 2026, there are 1,011 heritage schools registered with CDE, with a total enrollment of 133,537 students, with 95% of these students enrolled in kindergarten through 6th grade and 5% in grades 7 to 12.

Heritage schools are not subject to state oversight—not from CDE nor CDSS. Consistent with existing law, CDE’s website indicates that the Education Commissioner (formerly the SPI) nor CDE evaluates, approves, recognizes, accredits, nor endorses any heritage school. CDE does not monitor heritage school operations, instruction, or the data submitted on a heritage school’s annual registration form. CDE’s only role with heritage schools is to maintain the heritage school registration form and process, which heritage schools are required to submit annually. Similarly, heritage schools are exempt from childcare licensing, so CDSS has no responsibility to recognize or monitor these schools or programs.

That being said, existing law outlines several requirements and expectations for heritage schools. Heritage schools must comply with numerous health and safety provisions, including:

- The director and all employees and contractors having contact with students must have background checks and would not be prohibited from employment by a public school district because of their conviction for any crime.
- The director and all employees must be mandated reporters and have received the necessary training.
- The director must receive 15 hours of training in health and safety topics, including first aid, CPR, and injury prevention.
- All employees and volunteers must be in good health as verified by a health screening, including a test for tuberculosis.
- Students must have access to working sinks, toilets, and drinking water.

In addition, a building operated by a heritage school, 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, and such requirements include zoning, health and safety codes, fire codes, and other local ordinances.

TK is now available to all 4-year-olds. Though a child's attendance in kindergarten is not compulsory, local educational agencies (LEAs) are required to offer kindergarten programs to age-eligible children, and existing law defines TK as the first year of a two-year kindergarten program. However, not every school site in a district is required to offer TK.

According to a report by the Learning Policy Institute (LPI) titled "California's Universal Prekindergarten Implementation, 2024-25"—which was a year before full TK implementation—94% of 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, and the 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.

Existing law requires that an LEA, as a condition of receipt of apportionment, ensure that a child who will have their fourth birthday by September 1 to be eligible to be admitted to a TK program. 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, in 2024-25, this represented 55% of the TK-eligible population. 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 4-year-old children. The National Association for the Education of Young Children's recommended adult-to-child ratio in child care programs for 4-year-olds is 1:10. In California, existing law requires that TK classes have staffing of one adult for every 10 students as of 2025-26, and similarly, existing law requires a school offering before or after school programming through the Expanded Learning Opportunities Program to maintain a staff-to-pupil ratio of 1:10 if they are working with pupils in TK or kindergarten. Current regulations for contractors operating a California State Preschool Program serving 4-year-old children must maintain an adult-to-child ratio of 1:8. The Legislature 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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/26/26)

Beth Shir Shalom
Jewish California

OPPOSITION: (Verified 8/26/26)

None received

ASSEMBLY FLOOR: 75-0, 8/25/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Ellis, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lee, Lowenthal, Macedo, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo,

Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis,
Ward, Wicks, Wilson, Zbur, Rivas
NO VOTE RECORDED: Elhawary, Flora, Lackey, McKinnor

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