

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3026

By: Lowe

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2021, Section 18-108, which relates to free public kindergarten; requiring school districts to adopt a policy setting different age requirements for certain international military dependents; providing policy parameters; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2021, Section 18-108, is amended to read as follows:

Section 18-108. A. It is the intent of the Legislature to provide a free public kindergarten for every five-year-old child in this state.

B. Each day during which a child attends a kindergarten for two and one-half (2 1/2) hours or more shall be counted as one hundred percent (100%) of one (1) day of average daily attendance. Each day a kindergarten student is on the membership roll in a school district shall be counted as one hundred percent (100%) of one (1) day of average daily membership.

1 C. It shall be the duty of every school district in this state  
2 to provide and offer kindergarten free of tuition for every child  
3 residing in the district who attains the age of five (5) years on or  
4 before the first day of September during the school year such  
5 kindergarten is offered. The duty to provide and offer kindergarten  
6 may be satisfied by transferring kindergarten children to other  
7 school districts which accept them and provide kindergarten for such  
8 children, or by contracting for classroom space with a licensed  
9 public or licensed private child care provider based upon selection  
10 criteria established by the district.

11 D. A kindergarten program may be offered jointly by school  
12 districts that have formed interlocal cooperative agreements  
13 pursuant to Section 5-117b of this title.

14 E. 1. Beginning with the 2013-2014 school year, it shall be  
15 the duty of every school district in this state to provide and offer  
16 a full six-hour day of kindergarten free of tuition for every child  
17 residing in the district who attains the age of five (5) years on or  
18 before the first day of September during the school year  
19 kindergarten is offered. The duty to provide and offer kindergarten  
20 may be satisfied by intra-district transfer to a school offering  
21 full-day kindergarten, by transferring kindergarten children to  
22 other school districts which will accept them and can provide  
23 kindergarten for such children, or by contracting for classroom  
24 space with a licensed public or licensed private child care provider

1 based upon selection criteria established by the district. A school  
2 district shall be exempt from the provisions of this subsection if  
3 the school district has voted indebtedness through the issuance of  
4 bonds or approval by voters of issuance of new bonds for more than  
5 eighty-five percent (85%) of the maximum allowable, pursuant to the  
6 provisions of Section 26 of Article X of the Oklahoma Constitution,  
7 at any time within the previous five (5) years.

8 2. Notwithstanding the age requirement in paragraph 1 of this  
9 subsection, school district boards of education shall adopt a policy  
10 to allow United States allied nations' military members, who have  
11 been extended an Invitational Travel Order to be stationed at a  
12 military installation in Oklahoma, such as Fort Sill, Tinker AFB,  
13 Altus AFB, Vance AFB, or McAlester Army Ammunition Plant, to  
14 establish their dependent child's age for purposes of determining  
15 kindergarten eligibility under paragraph 1 of this subsection by  
16 demonstrating that the child will turn the required age during the  
17 school year for which the child is seeking admission.

18 F. The requirement to attend kindergarten provided in Section  
19 10-105 of this title may be satisfied by attendance in either a  
20 half-day or full-day program. Membership in a kindergarten for  
21 either two and one-half (2 1/2) hours or six (6) hours per school  
22 day shall be counted as one (1) day for average daily membership  
23 purposes. For purposes of State Aid, the pupil grade level weight

1 for a two-and-one-half-hour day of kindergarten shall be 1.3, and  
2 for a six-hour full day of kindergarten shall be 1.5.

3 SECTION 2. This act shall become effective July 1, 2026.

4 SECTION 3. It being immediately necessary for the preservation  
5 of the public peace, health or safety, an emergency is hereby  
6 declared to exist, by reason whereof this act shall take effect and  
7 be in full force from and after its passage and approval.

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