

1 ENGROSSED HOUSE
2 BILL NO. 3026

By: Lowe and Miller of the
House

3 and

4 Hines of the Senate
5
6
7

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

12
13
14
15
16
17
18
19
20
21
22
23
24

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

1 district shall be counted as one hundred percent (100%) of one (1)
2 day of average daily membership.

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

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

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

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

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

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

1 purposes. For purposes of State Aid, the pupil grade level weight
2 for a two-and-one-half-hour day of kindergarten shall be 1.3, and
3 for a six-hour full day of kindergarten shall be 1.5.

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

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

9 Passed the House of Representatives the 9th day of March, 2026.

10
11 _____
12 Presiding Officer of the House
13 of Representatives

14 Passed the Senate the ___ day of _____, 2026.

15
16 _____
17 Presiding Officer of the Senate
18
19
20
21
22
23
24