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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**57th Legislature, 2nd Session, 2026**

<b>Bill Number</b>	<u>SB107</u>	<b>Sponsor</b>	<u>Padilla</u>
<b>Tracking Number</b>	<u>.232847.3</u>	<b>Committee Referrals</b>	<u>SCC/SEC/SFC</u>
<b>Short Title</b>	<u>Statewide Out-of-School Time Programming</u>		
<b>Analyst</b>	<u>Hicks</u>	<b>Original Date</b>	<u>1/26/2026</u>
		<b>Last Updated</b>	<u>1/29/2026</u>

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## **BILL SUMMARY**

### Synopsis of Bill

Senate Bill 107 (SB107) would appropriate \$20 million from the general fund to the Public Education Department (PED) to sustain and expand out-of-school time (OST) programming across the state. \$10 million of the total appropriation would be reserved for school districts, charter schools, Bureau of Indian Education schools, and tribally controlled schools. The remaining \$10 million would be used for contracting nonprofit community organizations to provide OST programming.

## **FISCAL IMPACT**

SB107 appropriates \$20 million from the general fund to PED for expenditure in FY27 and subsequent fiscal years. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.

The FY27 LESC budget recommendation includes \$20 million from the general fund for OST programs. The proposed House Appropriations and Finance Committee FY27 framework budget scenario includes \$34.5 million over three years (\$11.5 million per year) for OST from the public education reform fund, while the executive budget recommendation would appropriate \$14 million from the general fund in FY27.

## **SUBSTANTIVE ISSUES**

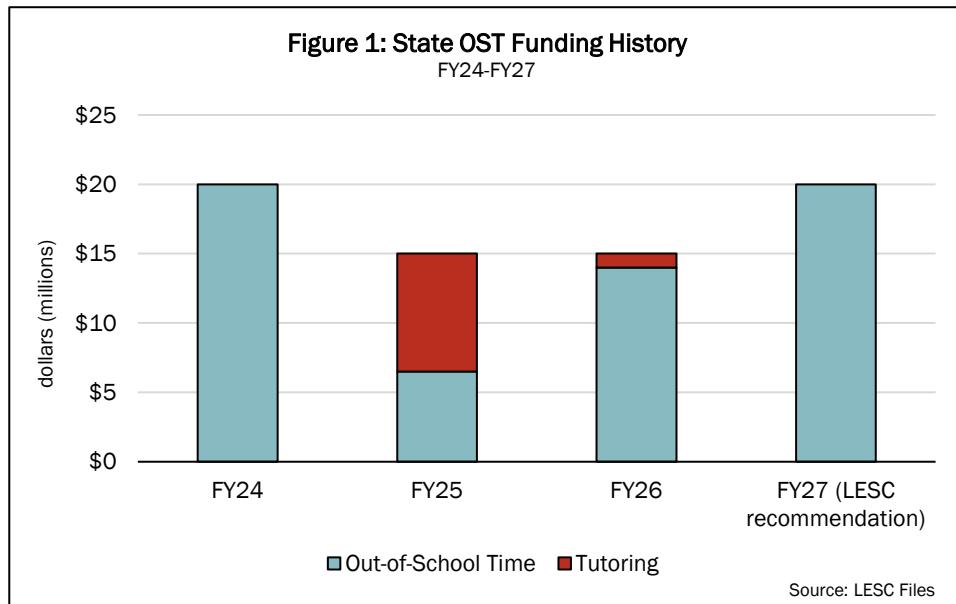
**Demand for OST.** Available state funding for OST programs in New Mexico in FY26 fell short of demonstrated demand from school districts, charter schools, and community-based organizations (CBOs). According to data from PED, the department's FY26 OST "Intent to Apply" generated a total request of \$30.2 million in funding (\$26.4 million from school districts and charter schools and \$3.8 million from CBOs). This level of interest indicates demand is at least two times larger than the state's \$14 million OST appropriation for FY26.

**OST Funding History.** Legislative appropriations for OST have fluctuated in recent years. See **Figure 1: State OST Funding History.** In FY24, the Legislature appropriated \$20 million for OST programs. This funding supported 78 sites throughout the state, with 40 being operated by school districts and charter schools, and the other 38 operated by community-based organizations (CBOs).

In FY25, the General Appropriation Act (GAA) included \$15 million for OST programs, a decrease of \$5 million. The GAA appropriated \$8.5 million specifically for high-impact tutoring (HIT), and the remaining \$6.5 million for non-tutoring OST programs.

In FY26, \$15 million was appropriated for OST programs. Of this total, \$14 million was earmarked for OST, while \$1 million was allocated for tutoring initiatives for at-risk students.

In FY27, all three of the LESC, LFC, and executive budget recommendations propose funding HIT and OST as separate line items.



**OST in New Mexico.** OST programs in the state are primarily provided by a combination of school districts, charter schools, and CBOs. In many cases, these entities collaborate in offering programs, whether before or after the regular school day, or during the summer. OST programs are heavily concentrated in major urban areas like Albuquerque, Las Cruces, and Santa Fe. Based on LESC staff analysis of a [map](#) produced by the [New Mexico Out-of-School Time Network](#), approximately 75 percent of programs funded through the GAA, including school districts, charter schools, and CBOs, are located along the Rio Grande Corridor. Many of New Mexico's rural and tribal communities do not have access to robust OST programs. Rural school districts, charter schools, and OST stakeholders cited consistent funding, transportation challenges, the significant time required to fill out grant applications in schools with limited staff, and the lack of resources in these communities to sustain programming as barriers to offering OST programs.

## ADMINISTRATIVE IMPLICATIONS

If enacted, SB107 could potentially require additional PED staff time and resources to account for increased OST funding and program expansion.

## OTHER SIGNIFICANT ISSUES

**Federal Funding for OST.** The U.S. Department of Education (ED) supports OST programs nationwide through the [Nita M. Lowey 21st Century Community Learning Centers](#) grant (21st CCLC) under [Title IV, Part B](#), of the Elementary and Secondary Education Act (ESEA). Each year, ED distributes funding to state education agencies, who are responsible for selecting subgrantees. Between FY22 and FY25, the total federal appropriation for 21st CCLC has remained relatively consistent at approximately \$1.3 billion. From these funds, New Mexico has received between \$9.8 million and \$10.4 million each year. According to PED, [9,549 students](#) at 117 schools participated in 21st CCLC-funded programs in the 2024-2025 school year.

**Benefits of OST.** Research has shown OST can benefit participating students and their families in several ways, including boosting [academic achievement](#); addressing [chronic absenteeism](#); improving [social emotional skills](#); supporting [college and career readiness](#); promoting [safety](#) and reducing the likelihood of [risky behaviors](#); and providing [childcare services](#).

**2025 America After 3 PM Report.** According to [survey data](#) from the 2025 America After 3 PM report from the Afterschool Alliance, an OST advocacy organization, there are 46,281 students in New Mexico in afterschool programs. In contrast, there are approximately 155,329 students who are not enrolled in a program but would be if a program were available.

## SOURCES OF INFORMATION

- LESC Files
- Early Childhood Education and Care Department (ECECD)
- Indian Affairs Department (IAD)

CLH/ec/mca/jkh