

119TH CONGRESS
2^D SESSION

H. R. 7086

To support the creation and implementation of State policies, as well as the expansion of existing State policies, for improving the quality and affordability of charter school facilities and to authorize the provision of technical assistance to support the growth and expansion of high-quality charter schools.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2026

Mr. CISCOMANI (for himself and Mr. BISHOP) introduced the following bill;
which was referred to the Committee on Education and Workforce

A BILL

To support the creation and implementation of State policies, as well as the expansion of existing State policies, for improving the quality and affordability of charter school facilities and to authorize the provision of technical assistance to support the growth and expansion of high-quality charter schools.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Equitable Access to
5 School Facilities Act”.

1 **SEC. 2. AMENDMENTS TO STATE FACILITIES AID PROGRAM.**

2 (a) IN GENERAL.—Section 4304(k) of the Elemen-
3 tary and Secondary Education Act of 1965 (20 U.S.C.
4 7221c(k)) is amended to read as follows:

5 “(k) STATE FACILITIES AID PROGRAM.—

6 “(1) STATE ENTITY DEFINED.—In this sub-
7 section, the term ‘State entity’ has the meaning
8 given the term in section 4303(a).

9 “(2) GRANTS TO STATE ENTITIES.—

10 “(A) GRANTS AUTHORIZED.—From the
11 amount reserved under section 4302(b)(1) and
12 remaining after the Secretary makes grants
13 under subsection (a), the Secretary shall award,
14 on a competitive basis, grants to State entities
15 that have the highest-quality applications ap-
16 proved under subparagraph (C), after consid-
17 ering the content of such applications in accord-
18 ance with subparagraph (D), to pay for the
19 Federal share of the cost of carrying out the ac-
20 tivities described in subparagraph (E).

21 “(B) PERIOD.—The Secretary shall award
22 grants under this subsection for periods of not
23 more than 5 years.

24 “(C) APPLICATION.—

25 “(i) IN GENERAL.—A State entity de-
26 siring to receive a grant under this sub-

1 section shall submit to the Secretary an
2 application in such form as the Secretary
3 may reasonably require and containing the
4 information described in clause (ii).

5 “(ii) CONTENTS.—An application sub-
6 mitted under clause (i) shall contain—

7 “(I) a statement identifying the
8 activities that the State entity pro-
9 poses to carry out with funds received
10 under this subsection, including a de-
11 scription of how the State entity will
12 determine which charter schools will
13 receive assistance, and how much and
14 what types of assistance such charter
15 schools will receive;

16 “(II) a description of the involve-
17 ment of charter schools in the applica-
18 tion’s development and in the design
19 of the proposed activities;

20 “(III) a description of whether
21 and how the State entity will partner
22 with an organization as described in
23 subparagraph (G);

24 “(IV) a description of how the
25 State entity possesses sufficient exper-

1 tise to evaluate the likelihood of suc-
2 cess of a charter school before pro-
3 viding assistance to such school
4 through the proposed grant;

5 “(V) in the case of an application
6 submitted by a State entity described
7 in paragraphs (1), (2), or (3) of sec-
8 tion 4303(a), a description of the ac-
9 tions that the entity has taken, or will
10 take, to ensure that charter schools
11 within the State receive the funding
12 they need to have adequate facilities;

13 “(VI) a description of whether
14 and how the proposed activities will—

15 “(aa) increase charter
16 schools’ access to State funds or
17 other financing for acquiring or
18 operating facilities (including by
19 reducing gaps to such access be-
20 tween charter schools and other
21 public schools in the same State);

22 “(bb) increase charter
23 schools’ access to public build-
24 ings; and

1 “(cc) increase the access of
2 charter schools in low-income and
3 rural communities to adequate
4 facilities; and

5 “(VII) a description of whether
6 the State in which the State entity is
7 located is described in clauses (i), (ii),
8 (iii), or (iv) of subparagraph (D).

9 “(iii) NO ADDITIONAL INFORMA-
10 TION.—The Secretary may not require any
11 additional information to be included in an
12 application submitted under this subpara-
13 graph that is not listed in clause (ii).

14 “(D) PRIORITY.—In making grants under
15 this subsection, the Secretary shall give priority
16 to a State entity located in a State—

17 “(i) that is described in subparagraph
18 (A) or (C) of section 4303(g)(2);

19 “(ii) that provides charter schools
20 with access to tax-exempt financing;

21 “(iii) with land use policies (including
22 with respect to policies relating to permits
23 and fees) that provide for the same or sub-
24 stantially similar treatment of charter

1 schools as other public schools that are not
2 charter schools; or

3 “(iv) that prohibits localities and
4 other instrumentalities of the State from
5 imposing deed restrictions on properties
6 that limit charter school access, including
7 prohibitions or restrictions on charter
8 schools purchasing surplus public property.

9 “(E) USE OF FUNDS.—

10 “(i) IN GENERAL.—A State entity re-
11 ceiving a grant under this subsection shall
12 use such grant to carry out, in the State
13 in which the State entity is located, 1 or
14 more of the following activities:

15 “(I) Increasing funding for, or
16 creating financing mechanisms to sup-
17 port, the acquisition, access to leasing,
18 and renovation of facilities by charter
19 schools, which may include partner-
20 ships with local educational agencies
21 that provide access to public build-
22 ings.

23 “(II) Increasing funding for, or
24 creating funding mechanisms to sup-

1 port, charter schools' ongoing facilities
2 costs.

3 “(III) Supporting the creation of
4 alternative ownership models, to plan,
5 develop, and manage facilities for
6 charter schools.

7 “(ii) RESERVE ACCOUNT.—

8 “(I) STATE ENTITY NOT RECEIV-
9 ING SUBSECTION (A) GRANT.—In the
10 case of a State entity that is not re-
11 ceiving a grant under subsection (a),
12 such entity may—

13 “(aa) establish and maintain
14 a reserve account described in
15 subsection (f); and

16 “(bb) for the purpose of car-
17 rying out 1 or more of the activi-
18 ties described in subclauses (I)
19 through (III) of clause (i), de-
20 posit an amount of the grant
21 funds received under this sub-
22 section (to be determined by the
23 State entity) in such reserve ac-
24 count.

1 “(II) STATE ENTITY RECEIVING
2 SUBSECTION (A) GRANT.—In the case
3 of a State entity that is receiving a
4 grant under subsection (a), for the
5 purpose of carrying out 1 or more of
6 the activities described in subclauses
7 (I) through (III) of clause (i), such
8 entity may deposit an amount of the
9 grant funds received under this sub-
10 section (to be determined by the State
11 entity) in the reserve account estab-
12 lished and maintained by the State
13 entity under subsection (f).

14 “(iii) EVALUATIONS; TECHNICAL AS-
15 SISTANCE; DISSEMINATION.—From the
16 amount made available to a State entity
17 through a grant under this subsection for
18 a fiscal year, the State entity may reserve
19 not more than 5 percent to carry out eval-
20 uations, to provide technical assistance,
21 and to disseminate information.

22 “(iv) SUPPLEMENT, NOT SUP-
23 PLANT.—Funds made available under this
24 subsection shall be used to supplement,
25 and not supplant, non-Federal funds ex-

1 pended to carry out the activities author-
2 ized under this subsection.

3 “(F) FEDERAL SHARE.—The Federal
4 share of the cost of carrying out the activities
5 described in subparagraph (E) shall be not
6 more than an amount equal to 60 percent of
7 the total such cost for the duration of the grant
8 period.

9 “(G) NON-FEDERAL SHARE.—A State en-
10 tity receiving a grant under this subsection may
11 partner with 1 or more organizations, and such
12 organizations may provide any amount of the
13 non-Federal share of the cost of carrying out
14 the activities described in subparagraph (E).

15 “(H) MULTIPLE GRANTS.—A State may
16 receive more than 1 grant under this sub-
17 section, so long as the amount of total funds
18 provided to charter schools increases with each
19 successive grant.”.

20 (b) APPLICABILITY.—The amendment made by sub-
21 section (a) shall apply only with respect to a grant award-
22 ed under section 4304(k) of the Elementary and Sec-
23 ondary Education Act (20 U.S.C. 7221e(k)) on or after
24 the date of the enactment of this Act.

1 **SEC. 3. NO FEDERAL INTEREST.**

2 Part C of title IV of the Elementary and Secondary
3 Education Act of 1965 (20 U.S.C. 7221 et seq.) is amend-
4 ed by adding at the end the following:

5 **“SEC. 4312. NO FEDERAL INTEREST.**

6 “No funds made available under this part create a
7 Federal interest (as such term is defined in section 200.1
8 of title 2, Code of Federal Regulations) for purposes of—

9 “(1) the recording requirement under section
10 200.316 of such title; or

11 “(2) the reporting requirement under section
12 200.330 of such title.”.

13 **SEC. 4. CREDIT ENHANCEMENT FOR CHARTER SCHOOL FA-**
14 **CILITIES PROGRAM.**

15 (a) IN GENERAL.—Section 4304(h)(2)(A) of the Ele-
16 mentary and Secondary Education Act of 1965 (20 U.S.C.
17 7221c(h)(2)) is amended by inserting “, for each of the
18 10 years following the date on which such entity received
19 such grant,” after “annual report”.

20 (b) APPLICABILITY.—The amendment made by sub-
21 section (a) shall apply with respect to an eligible entity
22 that received a grant under section 4304(a) of the Ele-
23 mentary and Secondary Education Act of 1965 (20 U.S.C.
24 7221c(a)) before, on, or after the date of the enactment
25 of this Act.

1 **SEC. 5. GRANTS TO SUPPORT HIGH-QUALITY CHARTER**
2 **SCHOOLS.**

3 (a) IN GENERAL.—Section 4303 of the Elementary
4 and Secondary Education Act of 1965 (20 U.S.C. 7221b)
5 is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1)(C), by striking
8 “and”;

9 (B) in paragraph (2), by striking the pe-
10 riod at the end and inserting a semicolon; and

11 (C) by inserting after paragraph (2) the
12 following:

13 “(3) provide assistance in locating and access-
14 ing a facility for purposes of opening, preparing, or
15 expanding charter schools as described in paragraph
16 (1); and

17 “(4) provide one-time assistance to any planned
18 or operating charter schools in the State in ensuring
19 that a facility used for a charter school complies
20 with State and local building codes and regula-
21 tions.”;

22 (2) in subsection (c)(1)—

23 (A) in the matter preceding subparagraph
24 (A), by striking “section shall—” and inserting
25 “section—

26 “(A) shall—”;

1 (B) by redesignating subparagraphs (A)
2 though (C) as clauses (i) through (iii), respec-
3 tively;

4 (C) in clause (i), as so redesignated, by
5 striking “90 percent” and inserting “80 per-
6 cent”;

7 (D) in clause (iii), as so redesignated, by
8 striking the period at the end and inserting “;
9 and”; and

10 (E) by adding at the end the following:

11 “(B) may reserve not more than 10 per-
12 cent of such funds for the establishment of a
13 revolving loan fund, which may be used to make
14 loans, under such terms as may be established
15 by the State entity, to—

16 “(i) eligible applicants that have re-
17 ceived a subgrant under this section, for
18 the initial operation (during the program
19 period described in subsection (d)(1)(B))
20 of 1 or more of the charter schools opened
21 or expanded pursuant to a grant under
22 this section; and

23 “(ii) eligible applicants to assist such
24 applicants in obtaining, renovating, or re-

1 habilitating facilities for planned or oper-
2 ating charter schools in the State.”; and

3 (3) in subsection (h)(3), by striking “necessary
4 renovations” and all that follows through “school
5 building complies” and inserting “repairs, renova-
6 tions, and building out of charter school facilities to
7 ensure that such facilities comply”.

8 (b) APPLICABILITY.—The amendments made by sub-
9 section (a) shall apply only with respect to a grant award-
10 ed under section 4303 of the Elementary and Secondary
11 Education Act (20 U.S.C. 7221b) on or after the date of
12 the enactment of this Act.

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