

118TH CONGRESS
2D SESSION

S. 5185

To establish a grant program to support qualified community colleges, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Mr. CASEY introduced the following bill; which was read twice and referred
to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a grant program to support qualified community
colleges, and for other purposes.

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 “Funding Community
5 College Infrastructure Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **GOVERNING BODY.**—The term “governing
9 body” means—

1 (A) the board of trustees or other gov-
 2 erning organization of a qualified community
 3 college; or

4 (B) a State, local, or Indian Tribal govern-
 5 ment (or any political subdivision thereof), or
 6 any combination of local educational agencies or
 7 municipalities, that participates or proposes to
 8 participate in the establishment and operation
 9 of a qualified community college.

10 (2) INSTITUTION OF HIGHER EDUCATION.—The
 11 term “institution of higher education” has the
 12 meaning given the term in section 101(a) of the
 13 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

14 (3) LOCAL EDUCATIONAL AGENCY.—The term
 15 “local educational agency” has the meaning given
 16 the term in section 8101 of the Elementary and Sec-
 17 ondary Education Act of 1965 (20 U.S.C. 7801), ex-
 18 cept such term shall include any elementary school
 19 or secondary school funded by the Bureau of Indian
 20 Education, notwithstanding section 8101(30)(C) of
 21 such Act.

22 (4) QUALIFIED AREA.—The term “qualified
 23 area” means any of the following:

1 (A) A city, metropolitan statistical area, or
 2 county that does not contain any institution de-
 3 scribed in paragraph (5)(A).

4 (B) A low-income community (as defined
 5 in section 45D(e) of the Internal Revenue Code
 6 of 1986).

7 (5) QUALIFIED COMMUNITY COLLEGE.—The
 8 term “qualified community college” means a public
 9 institution of higher education—

10 (A) at which the highest degree that is
 11 predominantly awarded to students is an asso-
 12 ciate degree (including 2-year tribally controlled
 13 colleges under section 316 of the Higher Edu-
 14 cation Act of 1965 (20 U.S.C. 1059c) and pub-
 15 lic 2-year institutions of higher education);

16 (B) that is established by and operated
 17 under the supervision of a governing body in
 18 conjunction with the State, local, and Indian
 19 tribal governments whose residents will be
 20 served by such institution; and

21 (C) that is located within a qualified area.

22 (6) QUALIFIED PURPOSE.—The term “qualified
 23 purpose” means—

24 (A) establishing and operating a qualified
 25 community college;

1 (B) expanding an existing qualified com-
2 munity college to a qualified area;

3 (C) constructing, rehabilitating, repairing,
4 upgrading, enhancing, or expanding any facility
5 owned or to be used by a qualified community
6 college to carry out the educational purposes
7 (including instructional and research purposes)
8 of such college;

9 (D) providing equipment for use by stu-
10 dents at a qualified community college;

11 (E) investing in online resources or
12 broadband access projects to deliver community
13 college services to qualified areas, or developing
14 course materials for education to be provided by
15 a qualified community college, provided that
16 such uses do not collectively account for more
17 than 10 percent of the grant amount awarded
18 under this Act for such college;

19 (F) training professors and other school
20 personnel at a qualified community college, pro-
21 vided that such use does not account for more
22 than 5 percent of the grant amount awarded
23 under this Act for such college;

24 (G) constructing, rehabilitating, repairing,
25 upgrading, enhancing, or expanding any on-

campus facility to be used by a qualified community college to—

(i) provide childcare to students and staff, provided that such use does not account for more than 10 percent of the grant amount awarded under this Act for such college; or

(ii) provide affordable housing, with a priority given to students and staff; and

(H) connecting students with transportation to a qualified community college, including partnering with public transit providers to—

(i) add bus, rail, or paratransit stops at or within walking distances of the campus;

(ii) add bus, rail, or paratransit routes to allow for transportation between the campus and surrounding areas and other cities;

(iii) increase the frequency of service or adjust the schedules for bus, rail, or paratransit routes to allow students to get to and from their classes; and

1 (iv) subsidize bus, rail, or paratransit
2 costs for students.

3 (7) SECRETARY.—The term “Secretary” means
4 the Secretary of Education.

5 (8) STATE.—The term “State” means any of
6 the several States of the United States, the District
7 of Columbia, the Commonwealth of Puerto Rico,
8 American Samoa, the Commonwealth of Northern
9 Mariana Islands, Guam, or the United States Virgin
10 Islands.

11 (9) STATE HIGHER EDUCATION AGENCY.—The
12 term “State higher education agency” means the of-
13 ficer or agency primarily responsible for the State
14 supervision of higher education.

15 **SEC. 3. COMMUNITY COLLEGE GRANTS.**

16 (a) PROGRAM AUTHORIZED.—From amounts made
17 available to carry out this Act, the Secretary shall award
18 grants, on a competitive basis, to governing bodies for
19 qualified purposes relating to a qualified community col-
20 lege.

21 (b) APPLICATION REQUIREMENTS.—

22 (1) IN GENERAL.—A governing body desiring a
23 grant under this Act shall submit an application to
24 the Secretary at such time, in such manner, and

1 containing such information as the Secretary may
2 require.

3 (2) CONTENTS.—An application described in
4 paragraph (1) shall include the following:

5 (A) A description of—

6 (i) the financial sustainability of the
7 proposal, including how the governing body
8 will leverage other sources of funding; and

9 (ii) how the qualified purposes pro-
10 posed with respect to the qualified commu-
11 nity college will fill an unmet need within
12 a qualified area.

13 (B) Any relevant approvals with respect to
14 the proposal that have been granted by any ap-
15 plicable State, local, or Indian Tribal govern-
16 ment or appropriate accrediting body.

17 (C) A certification that the governing
18 body—

19 (i) has consulted with the jurisdictions
20 in which the qualified community college
21 is, or will be, located; and

22 (ii) has the written approval of the
23 State higher education agency for the pro-
24 posal.

(D) In the case of an application proposing to establish a new qualified community college and in addition to the requirements under subparagraphs (A), (B), and (C)—

(i) whether such proposal has received approval from the State higher education agency; and

(ii) a description of the sustainability of such qualified community college, including any commitment from any State, local, or Indian Tribal government to provide additional funding for such college.

(c) PRIORITIES.—

(1) IN GENERAL.—In awarding grants under this Act for a fiscal year and subject to paragraph (2), the Secretary shall—

(A) give highest priority to—

(i) applications that propose to establish a qualified community college that will serve the residents of the State's largest metropolitan statistical area that does not contain an institution described in section 2(5)(A); or

(ii) in the case of a State for which no applications described in clause (i) are sub-

mitted, applications that propose to establish a qualified community college that will serve the residents of the State's largest micropolitan statistical area that does not contain an institution described in section 2(5)(A);

(B) after applying subparagraph (A), give high priority to any governing body that—

(i) has a partnership, or agrees to enter into a partnership upon receipt of the grant, with—

(I) 1 or more local high schools, as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), including a dual or concurrent enrollment program (as defined in such section);

(II) a 4-year institution of higher education that includes a credit-transfer agreement or articulation agreement (as defined in section 486A(a) of the Higher Education Act of 1965 (20 U.S.C. 1093a(a))) for students at the qualified community college; or

1 (III) a State workforce develop-
2 ment board established under section
3 101 of the Workforce Innovation and
4 Opportunity Act (29 U.S.C. 3111); or
5 (ii) is the governing body of, has a
6 partnership with, or agrees to enter into a
7 partnership upon receipt of the grant with,
8 an institution that is—

9 (I) a part B institution (as de-
10 fined in section 322 of the Higher
11 Education Act of 1965 (20 U.S.C.
12 1061));

13 (II) a Historically Black Grad-
14 uate Professional School (as identified
15 in section 326(e) of such Act (20
16 U.S.C. 1063b(e)));

17 (III) a Hispanic-serving institu-
18 tion (as defined in section 502(a) of
19 such Act (20 U.S.C. 1101a(a)));

20 (IV) a Tribal College or Univer-
21 sity (as defined in section 316(b) of
22 such Act (20 U.S.C. 1059c(b)));

23 (V) an Alaska Native-serving in-
24 stitution or a Native Hawaiian-serving
25 institution (as such terms are defined

1 in section 317(b) of such Act (20
2 U.S.C. 1059d(b)));

3 (VI) a Predominantly Black in-
4 stitution (as defined in section 371(c)
5 of such Act (20 U.S.C. 1067q(c)));

6 (VII) an Asian American and
7 Native American Pacific Islander-
8 serving institution (as defined in sec-
9 tion 371(c) of such Act (20 U.S.C.
10 1067q(c))); or

11 (VIII) a Native American-serving
12 nontribal institution (as defined in
13 section 371(c) of such Act (20 U.S.C.
14 1067q(c))); and

15 (C) after applying subparagraphs (A) and
16 (B), give priority to any governing body that
17 agrees to use not less than 80 percent of the
18 grant funds provided under this section for
19 qualified community college construction or ren-
20 ovation that is certified, verified, or consistent
21 with the applicable provisions of—

22 (i) the Leadership in Energy and En-
23 vironmental Design green building rating
24 standard of the United States Green
25 Building Council;

1 (ii) the Living Building Challenge
2 green building certification program devel-
3 oped by the International Living Future
4 Institute;

5 (iii) a green building rating program
6 developed by the Collaborative for High-
7 Performance Schools that is designated as
8 CHPS Verified; or

9 (iv) a green building program that—
10 (I) has standards that are equiv-
11 alent to or more stringent than the
12 standards of a program described in
13 clause (i), (ii), or (iii);

14 (II) is adopted by the State or
15 another jurisdiction with authority
16 over the qualified community college;
17 and

18 (III) includes a verifiable method
19 to demonstrate compliance with the
20 program.

21 (2) CUMULATIVE LIMITATION PER STATE.—The
22 Secretary shall ensure that the total amount of
23 grant funds awarded under this Act to all governing
24 bodies located in a State for any fiscal year shall not
25 exceed the greater of—

1 (A) the amount equal to 10 percent of all
2 grant funds awarded under this Act for such
3 fiscal year; or

4 (B) \$50,000,000.

5 (d) USE OF FUNDS.—An eligible entity receiving a
6 grant under this Act shall use—

7 (1) not less than 95 percent of the grant funds
8 for a qualified purpose with respect to a qualified
9 community college; and

10 (2) not more than 5 percent of the grant funds
11 for administrative expenses associated with the
12 grant.

13 (e) REPORTS.—By not later than 2 years after the
14 date of enactment of this Act, and every 2 years thereafter
15 for the duration of the grant program under this Act, the
16 Secretary shall prepare and submit to Congress a report
17 on the grant program that—

18 (1) describes the uses of grant funds; and

19 (2) includes information on the regions and stu-
20 dents served through the program.

21 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to carry out
23 this Act a total of \$10,000,000,000 for fiscal years 2026
24 through 2035.

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