

115TH CONGRESS  
1ST SESSION

# S. 458

To support the education of Indian children.

---

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2017

Mr. TESTER (for himself, Mr. FRANKEN, and Mr. UDALL) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

---

## A BILL

To support the education of Indian children.

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 “Native Educator Sup-  
5 port and Training Act” or the “NEST Act”.

1 **TITLE I—STUDENT ASSISTANCE**

2 **PART A—SCHOLARSHIPS FOR THE STUDY OF**  
 3 **EDUCATION AND SCHOOL ADMINISTRATION**

4 **SEC. 101. SCHOLARSHIP PROGRAMS FOR EDUCATORS OF**  
 5 **INDIAN STUDENTS AND INDIAN EDUCATORS.**

6 Part B of title II of the Higher Education Act (20  
 7 U.S.C. 1031 et seq.) is amended by adding at the end  
 8 the following:

9 **“Subpart 6—Indian Educator Scholarship Program**

10 **“SEC. 259A. PURPOSE; DEFINITIONS.**

11 “(a) PURPOSE.—The purposes of this subpart are—

12 “(1) to carry out the United States trust re-  
 13 sponsibility for the education of Indian children; and

14 “(2) to provide a more stable base of education  
 15 professionals with an understanding of the needs of  
 16 Indian students to serve in public elementary schools  
 17 and secondary schools, schools funded by the Bureau  
 18 of Indian Education, the Department of Education,  
 19 State educational agencies, and local educational  
 20 agencies.

21 “(b) DEFINITIONS.—In this subpart:

22 “(1) The term ‘Indian’ shall have the meaning  
 23 given that term in section 316.

1           “(2) The term ‘Bureau-funded school’ has the  
2           meaning given the term in section 1141 of the Edu-  
3           cation Amendments of 1978 (25 U.S.C. 2021).

4   **“SEC. 259B. TERMS AND CONDITIONS OF SCHOLARSHIP**  
5           **CONTRACTS.**

6           “(a) IN GENERAL.—Unless otherwise specified, a  
7           scholarship grant under this subpart shall have the terms  
8           and conditions described in this section.

9           “(b) CONTENTS OF CONTRACT.—

10           “(1) IN GENERAL.—The written contract be-  
11           tween the Secretary and the individual receiving a  
12           scholarship grant under this subpart shall contain  
13           the following:

14                   “(A) A statement that the Secretary  
15                   agrees to provide the individual with a scholar-  
16                   ship in accordance with section 259C, 259D, or  
17                   259E, as the case may be.

18                   “(B) A statement that the individual  
19                   agrees—

20                           “(i) to accept the relevant scholarship  
21                           under this subpart;

22                           “(ii) to maintain enrollment in the  
23                           course of study for which the scholarship  
24                           was awarded until the individual completes  
25                           the course of study;

1           “(iii) while enrolled in such course of  
2 study, to maintain an acceptable level of  
3 academic standing (as determined by the  
4 Secretary, taking into account the require-  
5 ments of the institution of higher edu-  
6 cation offering such course of study); and

7           “(iv) to serve, through full-time em-  
8 ployment at an eligible school or eligible  
9 service employer (as described under sec-  
10 tion 259C, 259D, or 259E, as the case  
11 may be), for a time period (referred to in  
12 this section as the ‘period of obligated  
13 service’) equal to the greater of—

14           “(I) 1 year for the equivalent of  
15 each school year for which the indi-  
16 vidual was provided a scholarship  
17 under this subpart; or

18           “(II) 3 years.

19           “(C) A statement of the damages to which  
20 the United States is entitled, under subsection  
21 (d), for the individual’s breach of the contract.

22           “(D) Any other relevant statements of the  
23 rights and liabilities of the Secretary and of the  
24 individual, in accordance with the provisions of  
25 this subpart.

1 “(2) PERIOD OF OBLIGATED SERVICE.—

2 “(A) IN GENERAL.—The recipient of a  
3 scholarship grant under this subpart shall be  
4 required to carry out a period of obligated serv-  
5 ice, as described in paragraph (1)(B)(iv).

6 “(B) DEFERMENT.—

7 “(i) IN GENERAL.—At the request of  
8 an individual who has entered into a con-  
9 tract described in this subsection, the Sec-  
10 retary shall grant a deferment for the pe-  
11 riod of obligated service of such individual  
12 under such contract for any of the fol-  
13 lowing reasons:

14 “(I) ADVANCED STUDY.—For ad-  
15 vanced study to enable such individual  
16 to complete a course of study leading  
17 to an advanced degree in elementary  
18 or secondary education or school ad-  
19 ministration, or needed to become cer-  
20 tified by a State or Indian tribe to  
21 teach, for an appropriate period (in  
22 years, as determined by the Sec-  
23 retary).

24 “(II) FAMILY AND MEDICAL  
25 LEAVE.—For family or medical leave

1 for a period in alignment with section  
2 102 of the Family and Medical Leave  
3 Act of 1993 (29 U.S.C. 2612) and as  
4 approved by the Secretary.

5 “(III) MILITARY SERVICE.—If  
6 the individual is a member of the Na-  
7 tional Guard or other reserve compo-  
8 nent of the Armed Forces of the  
9 United States, or a member of such  
10 Armed Forces in a retired status, and  
11 such individual is called or ordered to  
12 active duty (as defined in section  
13 101(d)(1) of title 10, United States  
14 Code), such individual shall be eligible  
15 for a deferment during the period of  
16 active duty and for an appropriate pe-  
17 riod (as determined by the Secretary)  
18 after returning from active duty.

19 “(ii) CONDITIONS OF DEFERMENT.—  
20 A deferment granted under this subpara-  
21 graph shall be subject to the following con-  
22 ditions:

23 “(I) The deferment period shall  
24 not be counted as satisfying any pe-

1                   riod of obligated service that is re-  
2                   quired under this section.

3                   “(II) The period of obligated  
4                   service of the individual shall com-  
5                   mence at the later of—

6                                 “(aa) 90 days after the com-  
7                                 pletion of the deferment period;

8                                 “(bb) the commencement of  
9                                 the first school year at the school  
10                                where the individual has been  
11                                hired that begins after the com-  
12                                pletion of the deferment; or

13                               “(cc) a date specified by the  
14                                Secretary.

15                   “(C) PART-TIME STUDY.—In the case of  
16                   an individual receiving a scholarship under this  
17                   subpart who is enrolled part-time in an ap-  
18                   proved course of study—

19                               “(i) a scholarship under this subpart  
20                                shall be for a period of years not to exceed  
21                                the part-time equivalent of 4 years, as de-  
22                                termined by the Secretary;

23                               “(ii) the period of obligated service  
24                                shall be equal to the greater of—

1                   “(I) 1 year for the equivalent of  
2                   each full-time academic year for which  
3                   the individual was provided a scholar-  
4                   ship (as determined by the Secretary  
5                   by adding the fractions of a full-time  
6                   academic year that each period of  
7                   part-time attendance comprises); or

8                   “(II) 2 years; and

9                   “(iii) the amount of the monthly sti-  
10                  pend specified in subsection (c) shall be re-  
11                  duced pro rata, as determined by the Sec-  
12                  retary, based on the number of hours of  
13                  study in which such individual is enrolled.

14               “(c) SCHOLARSHIP.—

15                  “(1) IN GENERAL.—A scholarship provided to a  
16                  student under this subpart for a school year shall  
17                  equal the amount of—

18                       “(A) the tuition of the student;

19                       “(B) all other reasonable educational ex-  
20                       penses incurred by the student in such school  
21                       year, including fees, books, laboratory expenses,  
22                       and other expenses as determined by the Sec-  
23                       retary; and

24                       “(C) a stipend of \$800 per month (ad-  
25                       justed in accordance with paragraph (3)) for



1           each of the 12 consecutive months beginning  
2           with the first month of such school year.

3           “(2) PAYMENT TO AN INSTITUTION OF HIGHER  
4           EDUCATION.—The Secretary may contract with an  
5           institution of higher education in which a participant  
6           in the scholarship program under this subpart is en-  
7           rolled for the payment to such institution on behalf  
8           of the student of the amounts of tuition and other  
9           reasonable educational expenses described in sub-  
10          paragraphs (A) and (B) of paragraph (1). Payment  
11          to such institution may be made without regard to  
12          subsections (a) and (b) of section 3324 of title 31,  
13          United States Code.

14          “(3) STIPEND.—The amount of the monthly  
15          stipend described in paragraph (1)(C) shall be in-  
16          creased by the Secretary for each school year ending  
17          in a fiscal year beginning after September 30, 2018,  
18          by the amount (rounded to the next highest multiple  
19          of \$1) equal to the amount of such stipend multi-  
20          plied by the percentage adjustment in the rates of  
21          pay under the General Schedule taking effect under  
22          section 5303 of title 5, United States Code, during  
23          the fiscal year in which such school year ends (if  
24          such adjustment is an increase).

1       “(d) LIABILITY; FAILURE TO COMPLETE THE PE-  
2       RIOD OF OBLIGATED SERVICE; REPAYMENT.—

3               “(1) LIABILITY.—An individual who has en-  
4       tered into a written contract with the Secretary  
5       under this section shall be liable to the United  
6       States for the amount which has been paid to, or on  
7       behalf of, such individual under the contract, if such  
8       individual—

9               “(A) fails to maintain an acceptable level  
10       of academic standing in the institution of high-  
11       er education in which the individual is enrolled  
12       (as determined by the Secretary taking into ac-  
13       count the requirements of the institution of  
14       higher education offering such course of study);

15              “(B) is dismissed from such institution of  
16       higher education for disciplinary reasons;

17              “(C) voluntarily terminates the training in  
18       such institution of higher education for which  
19       such individual is provided a scholarship under  
20       such contract before the completion of such  
21       training; or

22              “(D) fails to accept payment, or instructs  
23       the institution of higher education in which  
24       such individual is enrolled not to accept pay-  
25       ment, under this section.

1           “(2) FAILURE TO COMPLETE THE PERIOD OF  
2 OBLIGATED SERVICE.—An individual who has en-  
3 tered into a written contract with the Secretary  
4 under this section may petition the Secretary to  
5 delay the date on which the individual would other-  
6 wise be required to begin the period of obligated  
7 service if such individual has not succeeded in ob-  
8 taining employment required by this section. In sup-  
9 port of such petition, the individual shall supply  
10 such reasonable information as the Secretary may  
11 require. The Secretary shall retain full discretion re-  
12 garding the decision about whether to grant or de-  
13 cline such a delay and to determine the duration of  
14 any delay that is granted.

15           “(3) REPAYMENT.—

16           “(A) IN GENERAL.—An individual who has  
17 entered into a written contract with the Sec-  
18 retary under this section and who is liable for  
19 any amount of damages which the United  
20 States is entitled to recover under this sub-  
21 section shall—

22           “(i) begin payment of such damages  
23 to the United States within 1 year of the  
24 date of the breach or on such later date as  
25 specified by the Secretary; and

1           “(ii) repay the amount of such dam-  
2           ages in full following a schedule and by a  
3           deadline determined by the Secretary.

4           “(B) RECOVERY OF DAMAGES.—If dam-  
5           ages described in subparagraph (A) are delin-  
6           quent for 3 months, the Secretary shall, for the  
7           purpose of recovering such damages—

8                   “(i) utilize collection agencies con-  
9                   tracted with by the Administrator of the  
10                  General Services Administration; or

11                   “(ii) enter into contracts for the re-  
12                  covery of such damages with collection  
13                  agencies selected by the Secretary.

14           “(C) CONTRACTS FOR RECOVERY OF DAM-  
15           AGES.—Each contract for recovering damages  
16           pursuant to this paragraph shall provide that  
17           the contractor will, not less than once every 6  
18           months, submit to the Secretary a status report  
19           on the success of the contractor in collecting  
20           such damages. Section 3718 of title 31, United  
21           States Code, shall apply to any such contract to  
22           the extent not inconsistent with this subsection.

23           “(4) DEATH.—Upon the death of an individual  
24           who receives, or has received, a scholarship under  
25           this subpart, any obligation of such individual for

1 service or payment that relates to such scholarship  
2 shall be canceled.

3 “(5) WAIVER.—

4 “(A) REQUIRED WAIVER.—The Secretary  
5 shall provide for the partial or total waiver or  
6 suspension of any obligation of service or pay-  
7 ment of a recipient of a scholarship under this  
8 subpart, if the Secretary determines that—

9 “(i) it is not possible for the recipient  
10 to meet the obligation or make the pay-  
11 ment;

12 “(ii) requiring the recipient to meet  
13 the obligation or make the payment would  
14 result in extreme hardship to the recipient;  
15 or

16 “(iii) the enforcement of the require-  
17 ment to meet the obligation or make the  
18 payment would be unconscionable.

19 “(B) PERMISSIBLE WAIVER.—Notwith-  
20 standing any other provision of law, for other  
21 good cause shown, the Secretary may waive, in  
22 whole or in part, the right of the United States  
23 to recover funds made available under this sec-  
24 tion.

25 “(6) BANKRUPTCY.—

1           “(A) IN GENERAL.—Subject to subpara-  
2 graph (B), and notwithstanding any other pro-  
3 vision of law, with respect to a recipient of a  
4 scholarship under this subpart, no obligation  
5 for payment may be released by a discharge in  
6 bankruptcy under title 11.

7           “(B) EXCEPTION.—The prohibition de-  
8 scribed in subparagraph (A) shall not apply if—

9                   “(i) such discharge is granted after  
10 the expiration of the 5-year period begin-  
11 ning on the initial date on which that pay-  
12 ment is due; and

13                   “(ii) the bankruptcy court finds that  
14 the nondischarge of the obligation would be  
15 unconscionable.

16           “(e) APPLICABILITY OF OTHER PROVISIONS.—Not-  
17 withstanding any other provision of law, an individual re-  
18 ceiving a scholarship under this subpart shall continue to  
19 be eligible for any other grant programs and loan forgive-  
20 ness programs for which the individual would otherwise  
21 be eligible.

22 **“SEC. 259C. INDIAN STUDENT EDUCATOR SCHOLARSHIP**  
23 **PROGRAM.**

24           “(a) GRANTS AUTHORIZED.—

1           “(1) IN GENERAL.—The Secretary shall provide  
2 to each eligible applicant who is accepted for a schol-  
3 arship under this section with a scholarship grant in  
4 each school year or years for a period during which  
5 such individual is pursuing a course of study in ele-  
6 mentary or secondary education or school adminis-  
7 tration at an institution of higher education.

8           “(2) DESIGNATION.—Scholarships made under  
9 paragraph (1) shall be designated ‘Indian student  
10 educator scholarships’.

11       “(b) ELIGIBILITY.—

12           “(1) IN GENERAL.—The Secretary shall select  
13 which eligible applicants will receive an Indian stu-  
14 dent educator scholarship under subsection (a).

15           “(2) CRITERIA.—In order to be eligible to re-  
16 ceive an Indian student educator scholarship, an in-  
17 dividual shall—

18           “(A) be accepted for enrollment, or be en-  
19 rolled, as a full-time or part-time student in a  
20 course of study in elementary or secondary edu-  
21 cation or school administration at an institution  
22 of higher education;

23           “(B) submit an application to participate  
24 in the Indian educator scholarship program at

1 such time and in such manner as the Secretary  
2 shall determine; and

3 “(C) sign and submit to the Secretary, at  
4 the time that such application is submitted, a  
5 written contract as described in section 259B,  
6 which shall include a commitment to serve  
7 through full-time employment at an eligible  
8 school for the period of obligated service.

9 “(c) ELIGIBLE SCHOOLS.—An individual shall be  
10 considered to be serving, through full-time employment at  
11 an eligible school, as required under section  
12 259B(b)(1)(B)(iv), if the individual is employed full-  
13 time—

14 “(1) in a Bureau-funded school; or

15 “(2) in a public elementary school or secondary  
16 school that serves a significant number of Indian  
17 students, as determined by the Secretary.

18 “(d) PLACEMENT ASSISTANCE.—The Secretary shall  
19 assist the recipient of an Indian educator scholarship in  
20 learning about placement opportunities in eligible schools  
21 by transmitting the name and educational credentials of  
22 such recipient to—

23 “(1) State educational agency clearinghouses  
24 for recruitment and placement of kindergarten, ele-  
25 mentary school, and secondary school teachers and



1 administrators in States with a significant number  
2 of Indian children;

3 “(2) elementary schools and secondary schools  
4 that are Bureau-funded schools; and

5 “(3) tribal education agencies.

6 **“SEC. 259D. INDIAN EDUCATOR SCHOLARSHIP PROGRAM.**

7 “(a) GRANTS AUTHORIZED.—

8 “(1) IN GENERAL.—The Secretary shall provide  
9 to each eligible applicant who is accepted for a schol-  
10 arship under this section with a scholarship grant in  
11 each school year or years for a period during which  
12 such individual is pursuing a course of study in ele-  
13 mentary or secondary education or school adminis-  
14 tration at an institution of higher education.

15 “(2) DESIGNATION.—Scholarships made under  
16 paragraph (1) shall be designated ‘Indian educator  
17 scholarships’.

18 “(b) ELIGIBILITY.—

19 “(1) IN GENERAL.—The Secretary shall select  
20 which eligible applicants will receive an Indian edu-  
21 cator scholarship under subsection (a).

22 “(2) CRITERIA.—In order to be eligible to re-  
23 ceive an Indian educator scholarship, an individual  
24 shall—

25 “(A) be an Indian;

1           “(B) be accepted for enrollment, or be en-  
 2           rolled, as a full-time or part-time student in a  
 3           course of study in elementary or secondary edu-  
 4           cation or school administration at an institution  
 5           of higher education;

6           “(C) submit an application to participate  
 7           in the Indian educator scholarship program at  
 8           such time and in such manner as the Secretary  
 9           shall determine; and

10           “(D) sign and submit to the Secretary, at  
 11           the time that such application is submitted, a  
 12           written contract as described in section 259B,  
 13           which shall include a commitment to serve  
 14           through full-time employment at an eligible  
 15           school for the period of obligated service.

16           “(c) ELIGIBLE SCHOOLS.—An individual shall be  
 17           considered to be serving, through full-time employment at  
 18           an eligible school, as required under as section  
 19           259B(b)(1)(B)(iv), if the individual is employed full-  
 20           time—

21           “(1) in a Bureau-funded school; or

22           “(2) in a public elementary school or secondary  
 23           school that is in the school district of a local edu-  
 24           cational agency which is eligible during the period of  
 25           obligated service for assistance under part A of title

1 I of the Elementary and Secondary Education Act  
2 of 1965 (20 U.S.C. 6311 et seq.).

3 “(d) PLACEMENT ASSISTANCE.—The Secretary shall  
4 assist the recipient of an Indian educator scholarship in  
5 learning about placement opportunities in eligible schools  
6 by transmitting the name and educational credentials of  
7 such recipient to—

8 “(1) State educational agency clearinghouses  
9 for recruitment and placement of kindergarten, ele-  
10 mentary school, and secondary school teachers and  
11 administrators in States with a significant number  
12 of Indian children;

13 “(2) elementary schools and secondary schools  
14 that are Bureau-funded schools; and

15 “(3) tribal education agencies.”.

16 **“SEC. 259E. INDIAN EDUCATOR GRADUATE FELLOWSHIP**  
17 **PROGRAM.**

18 “(a) GRANTS AUTHORIZED.—

19 “(1) IN GENERAL.—The Secretary shall make  
20 scholarship grants in accordance with this section to  
21 Indians who are enrolled on a full-time or part-time  
22 basis in institutions of higher education and pur-  
23 suing a graduate level course of study in education  
24 or school administration.

1           “(2) DESIGNATION.—Scholarships made under  
2 paragraph (1) shall be designated ‘Indian educator  
3 graduate fellowships’.

4           “(b) ELIGIBILITY.—

5           “(1) IN GENERAL.—The Secretary shall select  
6 which eligible applicants will receive an Indian edu-  
7 cator graduate fellowship under subsection (a).

8           “(2) CRITERIA.—In order to be eligible to re-  
9 ceive an Indian educator graduate fellowship, an in-  
10 dividual shall—

11                   “(A) be an Indian;

12                   “(B) be accepted for enrollment, or be en-  
13 rolled, as a full-time or part-time student in a  
14 graduate level course of study in education or  
15 school administration at an institution of higher  
16 education;

17                   “(C) submit an application to participate  
18 in the Indian educator graduate fellowship pro-  
19 gram at such time and in such manner as the  
20 Secretary shall determine; and

21                   “(D) sign and submit to the Secretary, at  
22 the time that such application is submitted, a  
23 written contract as described in section 259B,  
24 which shall include a commitment to serve  
25 through full-time employment at an eligible

1 service employer for the period of obligated  
2 service.

3 “(c) ELIGIBLE SERVICE EMPLOYERS.—An individual  
4 shall be considered to be serving, through full-time em-  
5 ployment at an eligible service employer, as required under  
6 section 259B(b)(1)(B)(iv), if the individual is employed  
7 full-time—

8 “(1) in a Bureau-funded school;

9 “(2) in a public elementary school or secondary  
10 school that serves a significant number of Indian  
11 students, as determined by the Secretary;

12 “(3) for a Tribal College or University (as de-  
13 fined in section 316);

14 “(4) for a Native American-serving, nontribal  
15 institution (as defined in section 319(b));

16 “(5) for an Alaska Native-serving institution  
17 (as defined in section 317(b));

18 “(6) for a Native Hawaiian-serving institution  
19 (as defined in section 317(b));

20 “(7) for a tribal education agency (as defined  
21 by section 3 of the National Environmental Edu-  
22 cation Act (20 U.S.C. 5502));

23 “(8) for a State educational agency or local  
24 educational agency that serves a significant number  
25 of Indian students, as defined by the Secretary;

1 “(9) for the Department of Education; or

2 “(10) for the Bureau of Indian Education.

3 “(d) PLACEMENT ASSISTANCE.—The Secretary shall  
4 assist the recipient of an Indian educator graduate fellow-  
5 ship in learning about placement opportunities in eligible  
6 service employers in such manner as the Secretary deter-  
7 mines appropriate.”.

8 **PART B—LOAN FORGIVENESS FOR INDIAN**  
9 **EDUCATORS**

10 **SEC. 111. LOAN FORGIVENESS FOR EDUCATORS TEACHING**  
11 **IN BUREAU OF INDIAN EDUCATION-FUNDED**  
12 **SCHOOLS AND LOCAL EDUCATIONAL AGEN-**  
13 **CIES WITH A HIGH PERCENTAGE OF AMER-**  
14 **ICAN INDIAN STUDENTS.**

15 (a) PART B LOANS.—Section 428J of the Higher  
16 Education Act of 1965 (20 U.S.C. 1078–10) is amend-  
17 ed—

18 (1) in subsection (b)(1), by inserting “subject  
19 to paragraphs (4) and (5) of subsection (c),” before  
20 “has been employed”; and

21 (2) in subsection (c), by adding at the end the  
22 following:

23 “(4) ADDITIONAL AMOUNTS FOR TEACHERS IN  
24 BUREAU OF INDIAN EDUCATION-FUNDED SCHOOLS  
25 AND LOCAL EDUCATIONAL AGENCIES WITH A HIGH

1 PERCENTAGE OF AMERICAN INDIAN STUDENTS.—  
 2 Notwithstanding the amount specified in paragraph  
 3 (1) and the requirements under subparagraphs (A)  
 4 and (B) of subsection (b)(1), the aggregate amount  
 5 that the Secretary shall repay under this section  
 6 shall be not less than \$17,500 in the case of a bor-  
 7 rower who has been employed as a full-time teacher  
 8 for 5 consecutive complete school years as—

9 “(A) a teacher in a local educational agen-  
 10 cy described in section 6112(b)(1) of the Ele-  
 11 mentary and Secondary Education Act of 1965;  
 12 or

13 “(B) a teacher in a Bureau-funded school  
 14 (as defined in section 1141 of the Education  
 15 Amendments of 1978 (25 U.S.C. 2021)).”.

16 (b) PART D LOANS.—Section 460 of the Higher Edu-  
 17 cation Act of 1965 (20 U.S.C. 1087j) is amended—

18 (1) in subsection (b)(1) by inserting “subject to  
 19 paragraphs (4) and (5) of subsection (c),” before  
 20 “has been employed”; and

21 (2) in subsection (c), by adding at the end the  
 22 following:

23 “(4) ADDITIONAL AMOUNTS FOR TEACHERS IN  
 24 BUREAU OF INDIAN EDUCATION-FUNDED SCHOOLS  
 25 AND LOCAL EDUCATIONAL AGENCIES WITH A HIGH

1 PERCENTAGE OF AMERICAN INDIAN STUDENTS.—  
 2 Notwithstanding the amount specified in paragraph  
 3 (1) and the requirements under subparagraphs (A)  
 4 and (B) of subsection (b)(1), the aggregate amount  
 5 that the Secretary shall cancel under this section  
 6 shall be not less than \$17,500 in the case of a bor-  
 7 rower who has been employed as a full-time teacher  
 8 for 5 consecutive complete school years as—

9 “(A) a teacher in a local educational agen-  
 10 cy described in section 6112(b)(1) of the Ele-  
 11 mentary and Secondary Education Act of 1965;  
 12 or

13 “(B) a teacher in a Bureau-funded school  
 14 (as defined in section 1141 of the Education  
 15 Amendments of 1978 (25 U.S.C. 2021)).”.

16 **SEC. 112. LOAN FORGIVENESS FOR AMERICAN INDIAN**  
 17 **TEACHERS.**

18 (a) PART B LOANS.—Section 428J(c) of the Higher  
 19 Education Act of 1965 (20 U.S.C. 1078–10(c)), as  
 20 amended by section 111, is further amended by adding  
 21 at the end the following:

22 “(5) ADDITIONAL AMOUNTS FOR AMERICAN IN-  
 23 DIAN TEACHERS.—Notwithstanding the amount  
 24 specified in paragraph (1) and the requirements  
 25 under subparagraphs (A) and (B) of subsection



1 (b)(1), the aggregate amount that the Secretary  
2 shall repay under this section shall be not less than  
3 \$17,500 in the case of a borrower who—

4 “(A) has been employed as a full-time  
5 teacher for 5 consecutive complete school years  
6 in—

7 “(i) a Bureau-funded elementary  
8 school or secondary school (as defined in  
9 section 1141 of the Education Amend-  
10 ments of 1978 (25 U.S.C. 2021)); or

11 “(ii) a public elementary school or  
12 secondary school that is in the school dis-  
13 trict of a local educational agency which is  
14 eligible during the period of obligated serv-  
15 ice for assistance under part A of title I of  
16 the Elementary and Secondary Education  
17 Act of 1965 (20 U.S.C. 6311 et seq.); and

18 “(B) is a member of an Indian tribe (as  
19 defined in section 4 of the Indian Self-Deter-  
20 mination and Education Assistance Act (25  
21 U.S.C. 5304)).”.

22 (b) PART D LOANS.—Section 460(c) of the Higher  
23 Education Act of 1965 (20 U.S.C. 1087j(c)), as amended  
24 by section 111, is further amended by adding at the end  
25 the following:

1           “(5) ADDITIONAL AMOUNTS FOR AMERICAN IN-  
2           DIAN TEACHERS.—Notwithstanding the amount  
3           specified in paragraph (1) and the requirements  
4           under subparagraphs (A) and (B) of subsection  
5           (b)(1), the aggregate amount that the Secretary  
6           shall cancel under this section shall be not less than  
7           \$17,500 in the case of a borrower who—

8                   “(A) has been employed as a full-time  
9           teacher for 5 consecutive complete school years  
10          in—

11                   “(i) a Bureau-funded elementary  
12          school or secondary school (as defined in  
13          section 1141 of the Education Amend-  
14          ments of 1978 (25 U.S.C. 2021)); or

15                   “(ii) a public elementary school or  
16          secondary school that is in the school dis-  
17          trict of a local educational agency which is  
18          eligible during the period of obligated serv-  
19          ice for assistance under part A of title I of  
20          the Elementary and Secondary Education  
21          Act of 1965 (20 U.S.C. 6311 et seq.); and

22                   “(B) is a member of an Indian tribe (as  
23          defined in section 4 of the Indian Self-Deter-  
24          mination and Education Assistance Act (25  
25          U.S.C. 5304)).”.

1 **SEC. 113. CANCELLATION OF LOANS FOR EDUCATORS**  
2 **TEACHING IN BUREAU OF INDIAN EDU-**  
3 **CATION-FUNDED SCHOOLS AND NATIVE**  
4 **AMERICAN LANGUAGE IMMERSION TEACH-**  
5 **ERS.**

6 Section 465(a)(2) of the Higher Education Act of  
7 1965 (20 U.S.C. 1087ee(a)(2)) is amended—

8 (1) in subparagraph (A)—

9 (A) in clause (i)(II), by striking “or” after  
10 the semicolon;

11 (B) in clause (ii), by inserting “or” after  
12 the semicolon; and

13 (C) by inserting after clause (ii) the fol-  
14 lowing:

15 “(iii) in an elementary school or sec-  
16 ondary school that is a Bureau school or a  
17 Bureau-funded school (as defined in sec-  
18 tion 1141 of the Education Amendments  
19 of 1978 (25 U.S.C. 2021));”; and

20 (2) in subparagraph (G), by inserting “Native  
21 American language immersion,” after “foreign lan-  
22 guages,”.

1     **TITLE II—INSTITUTIONAL AID**  
 2     **PART A—PROFESSIONAL DEVELOPMENT GRANTS**  
 3         **FOR         NATIVE-SERVING         ELEMENTARY**  
 4         **SCHOOLS AND SECONDARY SCHOOLS**  
 5     **SEC. 201. NATIONAL BOARD CERTIFICATION INCENTIVE**  
 6             **PROGRAM.**

7         Subpart 2 of part A of title VI of the Elementary  
 8     and Secondary Education Act of 1965 (20 U.S.C. 7441  
 9     et seq.) is amended by adding at the end the following:

10    **“SEC. 6123. NATIONAL BOARD CERTIFICATION INCENTIVE**  
 11             **PROGRAM.**

12         “(a) PURPOSES.—The purposes of this section are—

13             “(1) to improve the skills of qualified individ-  
 14     uals who are Indian (as defined by section 103 of  
 15     the Native American Languages Act (25 U.S.C.  
 16     2902)) or who teach Indian people;

17             “(2) to provide an incentive for qualified teach-  
 18     ers to continue to utilize their enhanced skills in ele-  
 19     mentary schools and secondary schools serving In-  
 20     dian communities; and

21             “(3) to increase the retention of highly skilled  
 22     Indian teachers in elementary schools and secondary  
 23     schools seeking to better incorporate Indian culture  
 24     and history into the general curriculum.

25         “(b) DEFINITIONS.—In this section:

1           “(1) BUREAU-FUNDED SCHOOL.—The term  
2           ‘Bureau-funded school’ has the meaning given the  
3           term in section 1141 of the Education Amendments  
4           of 1978 (25 U.S.C. 2021).

5           “(2) ELIGIBLE ENTITIES.—The term ‘eligible  
6           entity’ means—

7                   “(A) a State educational agency in consor-  
8                   tium with an institution of higher education;

9                   “(B) a local educational agency in consor-  
10                  tium with an institution of higher education;

11                  “(C) an Indian tribe or organization, in  
12                  consortium with a local educational agency and  
13                  an institution of higher education; or

14                  “(D) a Bureau-funded school in consor-  
15                  tium with an institution of higher education.

16           “(3) ELIGIBLE EDUCATORS.—The term ‘eligible  
17           educator’ means—

18                   “(A) a teacher who teaches a minimum  
19                   number of Indian students, as determined by  
20                   the Secretary; or

21                   “(B) a teacher who is Indian.

22           “(4) INDIAN TRIBE.—The term ‘Indian tribe’  
23           has the meaning given the term in section 4 of the  
24           Indian Self-Determination and Education Assistance  
25           Act (25 U.S.C. 5304).

1       “(c) PROGRAM AUTHORIZED.—The Secretary is au-  
2 thORIZED to award grants to eligible entities having applica-  
3 tions approved under this section to enable such eligible  
4 entities to—

5           “(1) reimburse eligible educators for out-of-  
6 pocket costs associated with obtaining teacher cer-  
7 tification or credentialing by the National Board for  
8 Professional Teaching Standards; and

9           “(2) provide an increase in annual compensa-  
10 tion, in an amount equal to not less than \$5,000  
11 and not more than a \$10,000, for eligible educators  
12 with a certification from the National Board for  
13 Professional Teaching Standards for the duration of  
14 the grant under this section.

15       “(d) APPLICATION.—

16           “(1) IN GENERAL.—Each eligible entity desir-  
17 ing a grant under this section shall submit an appli-  
18 cation to the Secretary at such time, in such man-  
19 ner, and accompanied by such information, as the  
20 Secretary may reasonably require.

21           “(2) SPECIAL RULE.—In the case of an eligible  
22 entity desiring to utilize all or a portion of a grant  
23 under this section for eligible educators identified in  
24 subparagraph (B) of subsection (b)(3) who would  
25 not also qualify as an eligible educator under sub-

1 paragraph (A) of subsection (b)(3), the eligible enti-  
2 ty shall provide an assurance that grant funds will  
3 support only those educators who are tribally en-  
4 rolled or affiliated with an Indian tribe.

5 “(e) AWARDING OF GRANTS.—In awarding grants  
6 under this section, the Secretary shall determine the  
7 amount and length of each grant, which shall not exceed  
8 5 years.

9 “(f) RESTRICTIONS ON COMPENSATION IN-  
10 CREASES.—The Secretary shall require and ensure that  
11 individuals who obtain a certification from the National  
12 Board for Professional Teaching Standards under this  
13 section continue to teach at a school served by the eligible  
14 entity through which funding for such certification was ob-  
15 tained as a condition of receiving annual compensation in-  
16 creases provided for in this section.

17 “(g) PROGRESS REPORTS.—

18 “(1) IN GENERAL.—For every year for which  
19 Congress allocates funds for grants under this sec-  
20 tion, the Secretary shall provide a report on the  
21 progress of the eligible entities receiving grants  
22 under this section in meeting applicable progress  
23 standards, as determined by the Secretary.

1           “(2) DISSEMINATION.—The Secretary shall dis-  
2           seminate the report described in this subsection to  
3           each of the following:

4                   “(A) The Committee on Health, Edu-  
5                   cation, Labor, and Pensions of the Senate.

6                   “(B) The Committee on Indian Affairs of  
7                   the Senate.

8                   “(C) The Subcommittee on Indian, Insu-  
9                   lar, and Alaska Native Affairs of the Committee  
10                  on Natural Resources of the House of Rep-  
11                  resentatives.

12                  “(D) The Committee on Education and the  
13                  Workforce of the House of Representatives.”.

14 **PART B—NATIVE LANGUAGE TEACHER TRAINING**  
15 **PROGRAM GRANTS FOR NATIVE-SERVING IN-**  
16 **STITUTIONS OF HIGHER EDUCATION**

17 **SEC. 211. NATIVE LANGUAGE TEACHER TRAINING PRO-**  
18 **GRAM DEVELOPMENT GRANTS FOR TRIBAL**  
19 **COLLEGES AND UNIVERSITIES AND INSTITU-**  
20 **TIONS OF HIGHER EDUCATION THAT SERVE**  
21 **SIGNIFICANT NUMBERS OF NATIVE STU-**  
22 **DENTS.**

23           Title III of the Higher Education Act of 1965 (20  
24 U.S.C. 1051 et seq.) is amended—

25                   (1) by redesignating part G as part H; and



1 (2) by inserting after part F the following:

2 **“PART G—NATIVE AMERICAN LANGUAGE**

3 **TEACHER TRAINING PROGRAM DEVELOPMENT**

4 **“SEC. 381. NATIVE AMERICAN LANGUAGE TEACHER TRAIN-**  
 5 **ING PROGRAM DEVELOPMENT.**

6 “(a) PURPOSE.—The purpose of this section is to es-  
 7 tablish a grant program that seeks—

8 “(1) to increase the number of well-trained and  
 9 pedagogically effective Native American language  
 10 speakers in teaching and other education professions  
 11 that serve Indian people;

12 “(2) to provide ongoing training and profes-  
 13 sional development to Native American immersion  
 14 and language instructors to improve their linguistic  
 15 and pedagogical skills; and

16 “(3) to support the efforts of American Indian  
 17 and Alaska Native communities to effectively revi-  
 18 talize, maintain, and teach their languages, as envi-  
 19 sioned in the Native American Languages Act (25  
 20 U.S.C. 2901 et seq.) and section 803C of the Native  
 21 American Programs Act of 1974 (42 U.S.C. 2991b-  
 22 3).

23 “(b) DEFINITION OF ELIGIBLE INSTITUTION.—In  
 24 this section, the term ‘eligible institution’ means any of  
 25 the following:

1           “(1) A Tribal College or University as defined  
2 in section 316.

3           “(2) A Native American-serving, nontribal insti-  
4 tution as defined in section 319(b).

5           “(3) An Alaska Native-serving institution as de-  
6 fined in section 317(b).

7           “(4) A Native Hawaiian-serving institution as  
8 defined in section 317(b).

9           “(5) A consortium of any of the institutions de-  
10 scribed in paragraphs (1) through (4).

11       “(c) GRANT PROGRAM AUTHORIZED.—

12           “(1) IN GENERAL.—The Secretary shall estab-  
13 lish a program, to be known as the Native American  
14 Language Teacher Training Program, under which  
15 the Secretary shall provide grants, on a competitive  
16 basis, to eligible institutions to promote the recruit-  
17 ment and training of Native immersion and lan-  
18 guage teachers to further support the revitalization,  
19 maintenance, and use of Native American languages  
20 in the classroom.

21           “(2) DURATION.—A grant under paragraph (1)  
22 shall be for a period of not more than 5 years.

23           “(3) APPLICATION.—

24           “(A) IN GENERAL.—To be eligible to re-  
25 ceive a grant under this subsection, an eligible

1 institution shall submit to the Secretary an ap-  
2 plication at such time, in such manner, and  
3 containing such information as the Secretary  
4 may reasonably require.

5 “(B) APPLICATION PAPERWORK REDUC-  
6 TION.—

7 “(i) The Secretary shall establish ap-  
8 plication requirements in such a manner as  
9 to simplify and streamline the process for  
10 applying for grants under this section.

11 “(ii) The Secretary shall not require  
12 any Tribal College or University, as de-  
13 fined in section 316, applying individually  
14 for a grant under this section, to submit  
15 any separate, preliminary, or additional  
16 grant eligibility application or information  
17 because of the institution’s status as a  
18 Tribal College or University.

19 “(C) INCLUSION.—An application under  
20 this paragraph shall include a plan for the pro-  
21 gram proposed to be carried out by the eligible  
22 institution, including—

23 “(i) a description of a 5-year strategy  
24 for meeting the Native immersion teacher  
25 recruitment and training needs of Amer-

1            ican Indians or Alaska Natives, as appro-  
2            priate, in the population served by the in-  
3            stitution, including a description of any  
4            partnerships with tribal, local, or Bureau-  
5            operated educational agencies;

6            “(ii) an identification of the American  
7            Indian or Alaska Native population to be  
8            served by the eligible institution;

9            “(iii) an identification of the status of  
10           the target Native American language or  
11           languages used within the population;

12           “(iv) a description of the professional  
13           development and degree services to be pro-  
14           vided under the program, including the  
15           manner in which the services will be inte-  
16           grated with other appropriate activities  
17           and programs; and

18           “(v) a description, to be prepared in  
19           consultation with the Secretary, of the per-  
20           formance measures to be used to assess  
21           the performance of the eligible institution  
22           carrying out the program.

23           “(D) REQUIREMENT.—A program plan  
24           under subparagraph (C) shall be consistent

1 with the purposes of this section, as determined  
2 by the Secretary.

3 “(d) USE OF FUNDS.—

4 “(1) REQUIRED ACTIVITIES.—A grantee shall  
5 use grant funds provided under this section to carry  
6 out the following activities:

7 “(A) Development of a new Native Amer-  
8 ican immersion and language teacher training  
9 program that leads to State or tribal teacher  
10 certification.

11 “(B) Support and expansion of an existing  
12 Native American immersion and language  
13 teacher training program that leads to a State  
14 or tribal teacher certification.

15 “(C) Development and delivery of profes-  
16 sional development workshops and courses  
17 aimed at improving the immersion and lan-  
18 guage acquisition pedagogical practices of Na-  
19 tive American immersion and language teach-  
20 ers.

21 “(2) ALLOWABLE ACTIVITIES.—A grantee may  
22 use grant funds provided under this section to carry  
23 out additional activities, including—

24 “(A) curriculum development and academic  
25 instruction, including educational activities, pro-

1           grams, and partnerships relating to students in  
2           prekindergarten through grade 12;

3           “(B) development and establishment of a  
4           national Native American immersion and lan-  
5           guage teacher best practices guideline or certifi-  
6           cation;

7           “(C) professional development for institu-  
8           tional faculty or for elementary and secondary  
9           education administrators and educational sup-  
10          port staff; and

11          “(D) innovative Native American language  
12          and immersion program classroom research for  
13          students in prekindergarten through grade 12.

14          “(e) CONCURRENT FUNDING.—An eligible institution  
15          that receives a grant under this section may concurrently  
16          receive funds under section 316, 317, or 319.

17          “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
18          is authorized to be appropriated to carry out this section  
19          such sums as may be necessary for each of fiscal years  
20          2018 through 2022.”.

○