

115TH CONGRESS
1ST SESSION

H. R. 2727

To support the education of Indian children.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2017

Mr. RUIZ introduced the following bill; which was referred to the Committee on Education and the Workforce

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 early childhood education
17 programs, public elementary schools and secondary
18 schools, schools funded by the Bureau of Indian
19 Education, the Department of Education, State edu-
20 cational agencies, tribal education agencies, and
21 local educational agencies.

22 “(b) DEFINITIONS.—In this subpart:

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

1 “(2) The term ‘Bureau-funded school’ shall
2 have the meaning given that term in section 1141 of
3 the Education Amendments of 1978 (25 U.S.C.
4 2021).

5 “(3) The term ‘Native-serving institution of
6 higher education’ shall mean any institution of high-
7 er education eligible under section 316, 317, or 319.

8 “(4) The term ‘tribal educational agency’ shall
9 have the meaning given the term in section 6132 of
10 the Elementary and Secondary Education Act of
11 1965 (20 U.S.C. 7452).

12 “(5) The term ‘Bureau of Indian Education
13 early childhood development program’ means a pro-
14 gram operating under a grant authorized by section
15 1139 of the Education Amendments of 1978 (25
16 U.S.C. 2019).

17 “(6) The term ‘tribal early childhood education
18 program’ shall mean any of the following programs:

19 “(A) An American Indian or Alaska Native
20 Head Start or Early Head Start program car-
21 ried out under the Head Start Act (42 U.S.C.
22 9831 et seq.).

23 “(B) A tribal child care and development
24 program carried out under the Child Care and

1 Development Block Grant Act of 1990 (42
2 U.S.C. 9858 et seq.).

3 “(C) A program serving children from
4 birth through age 6 that—

5 “(i) receives funding support from the
6 Native American language preservation
7 and maintenance program carried out
8 under section 803C of the Native Amer-
9 ican Programs Act of 1974 (42 U.S.C.
10 2991b–3);

11 “(ii) is a tribal prekindergarten pro-
12 gram;

13 “(iii) is a program authorized under
14 section 619 or part C of the Individuals
15 with Disabilities Education Act (20 U.S.C.
16 1419; 20 U.S.C. 1431 et seq.); or

17 “(iv) is a center-based or group-based
18 early childhood learning or development
19 program that the Secretary determines
20 shall be included under this definition,
21 after receiving a request from an Indian
22 tribe.

1 **“SEC. 259B. TERMS AND CONDITIONS OF SCHOLARSHIP**
2 **CONTRACTS.**

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

6 “(b) CONTENTS OF CONTRACT.—

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

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

15 “(B) A statement that the individual
16 agrees—

17 “(i) to accept the relevant scholarship
18 under this subpart;

19 “(ii) to maintain enrollment in the
20 course of study for which the scholarship
21 was awarded until the individual completes
22 the course of study;

23 “(iii) while enrolled in such course of
24 study, to maintain an acceptable level of
25 academic standing (as determined by the
26 Secretary, taking into account the require-

1 ments of the institution of higher edu-
2 cation offering such course of study); and

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

10 “(I) 1 year for the equivalent of
11 each school year for which the indi-
12 vidual was provided a scholarship
13 under this subpart; or

14 “(II) 3 years.

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

18 “(D) Any other relevant statements of the
19 rights and liabilities of the Secretary and of the
20 individual, in accordance with the provisions of
21 this subpart.

22 “(2) PERIOD OF OBLIGATED SERVICE.—

23 “(A) IN GENERAL.—The recipient of a
24 scholarship grant under this subpart shall be

1 required to carry out a period of obligated serv-
2 ice, as described in paragraph (1)(B)(iv).

3 “(B) DEFERMENT.—

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

11 “(I) ADVANCED STUDY.—For ad-
12 vanced study to enable such individual
13 to complete a course of study—

14 “(aa) leading to an ad-
15 vanced degree in early childhood
16 education, elementary or sec-
17 ondary education or school ad-
18 ministration; or

19 “(bb) needed to become cer-
20 tified by a State or Indian tribe
21 to teach, for an appropriate pe-
22 riod (in years, as determined by
23 the Secretary).

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 early
6 childhood education, elementary or secondary edu-
7 cation, or school administration at an institution of
8 higher education.

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

12 “(b) ELIGIBILITY.—

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

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

19 “(A) be accepted for enrollment, or be en-
20 rolled, as a full-time or part-time student in a
21 course of study in early childhood education, el-
22 ementary or secondary education, or school ad-
23 ministration at an institution of higher edu-
24 cation;

1 “(B) submit an application to participate
2 in the Indian educator scholarship program at
3 such time and in such manner as the Secretary
4 shall determine; and

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

11 “(c) ELIGIBLE SCHOOLS.—An individual shall be
12 considered to be serving, through full-time employment at
13 an eligible school, as required under section
14 259B(b)(1)(B)(iv), if the individual is employed full-
15 time—

16 “(1) in a Bureau-funded school, including a
17 Bureau of Indian Education early childhood develop-
18 ment program;

19 “(2) in a public elementary school or secondary
20 school that serves a significant number of Indian
21 students, as determined by the Secretary in con-
22 sultation with Indian tribes;

23 “(3) in a tribal early childhood education pro-
24 gram; or

1 “(4) in a federally funded early childhood edu-
2 cation program that serves a significant number of
3 Indian students, as determined by the Secretary in
4 consultation with Indian tribes.

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

10 “(1) State educational agency clearinghouses
11 for recruitment and placement of early childhood,
12 kindergarten, elementary school, and secondary
13 school teachers and school administrators in States
14 with a significant number of Indian children;

15 “(2) Bureau of Indian Education early child-
16 hood development programs;

17 “(3) elementary schools and secondary schools
18 that are Bureau-funded schools; and

19 “(4) tribal educational agencies.

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

21 “(a) GRANTS AUTHORIZED.—

22 “(1) IN GENERAL.—The Secretary shall provide
23 to each eligible applicant who is accepted for a schol-
24 arship under this section with a scholarship grant in
25 each school year or years for a period during which

1 such individual is pursuing a course of study in early
2 childhood education, elementary or secondary edu-
3 cation, or school administration at an institution of
4 higher education.

5 “(2) DESIGNATION.—Scholarships made under
6 paragraph (1) shall be designated ‘Indian educator
7 scholarships’.

8 “(b) ELIGIBILITY.—

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

12 “(2) CRITERIA.—In order to be eligible to re-
13 ceive an Indian educator scholarship, an individual
14 shall—

15 “(A) be an Indian;

16 “(B) be accepted for enrollment, or be en-
17 rolled, as a full-time or part-time student in a
18 course of study in early childhood education, el-
19 elementary or secondary education, or school ad-
20 ministration at an institution of higher edu-
21 cation;

22 “(C) submit an application to participate
23 in the Indian educator scholarship program at
24 such time and in such manner as the Secretary
25 shall determine; and

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

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

12 “(1) in a Bureau-funded school, including a
13 Bureau of Indian Education early childhood develop-
14 ment program;

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

21 “(3) in a tribal early childhood education pro-
22 gram; or

23 “(4) in a federally funded early childhood edu-
24 cation program that serves a significant number of

1 Indian students, as determined by the Secretary in
2 consultation with Indian tribes.

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 school administrators in States with a significant
12 number of Indian children;

13 “(2) Bureau of Indian Education early child-
14 hood development programs;

15 “(3) elementary schools and secondary schools
16 that are Bureau-funded schools; and

17 “(4) tribal educational agencies.”.

18 **“SEC. 259E. INDIAN EDUCATOR GRADUATE FELLOWSHIP**

19 **PROGRAM.**

20 “(a) GRANTS AUTHORIZED.—

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

1 suing a graduate level course of study in education
2 or school administration.

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

6 “(b) ELIGIBILITY.—

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

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

13 “(A) be an Indian;

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

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

23 “(D) sign and submit to the Secretary, at
24 the time that such application is submitted, a
25 written contract as described in section 259B,

1 which shall include a commitment to serve
2 through full-time employment at an eligible
3 service employer for the period of obligated
4 service.

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

10 “(1) in a Bureau-funded school;

11 “(2) in a public elementary school or secondary
12 school that serves a significant number of Indian
13 students, as determined by the Secretary in con-
14 sultation with Indian tribes;

15 “(3) by a Native-serving institution of higher
16 education;

17 “(4) in a tribal early childhood education pro-
18 gram;

19 “(5) in a federally funded early childhood edu-
20 cation program that serves a significant number of
21 Indian students, as determined by the Secretary in
22 consultation with Indian tribes;

23 “(6) for a tribal educational agency;

24 “(7) for a State educational agency or local
25 educational agency that serves a significant number

1 of Indian students, as defined by the Secretary in
2 consultation with Indian tribes;

3 “(8) for the Department of Education; or

4 “(9) for the Bureau of Indian Education.

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

10 **PART B—LOAN FORGIVENESS FOR INDIAN**
11 **EDUCATORS**

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

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

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

23 (2) in subsection (c), by adding at the end the
24 following:

1 “(4) ADDITIONAL AMOUNTS FOR EDUCATORS IN
2 BUREAU OF INDIAN EDUCATION-FUNDED SCHOOLS
3 AND LOCAL EDUCATIONAL AGENCIES WITH A HIGH
4 PERCENTAGE OF AMERICAN INDIAN STUDENTS.—
5 Notwithstanding the amount specified in paragraph
6 (1) and the requirements under subparagraphs (A)
7 and (B) of subsection (b)(1), the aggregate amount
8 that the Secretary shall repay under this section
9 shall be not less than \$17,500 in the case of a bor-
10 rower who has been employed as a full-time teacher
11 or school administrator for 5 consecutive complete
12 school years as—

13 “(A) a teacher or school administrator in
14 a local educational agency described in section
15 6112(b)(1) of the Elementary and Secondary
16 Education Act of 1965; or

17 “(B) a teacher or school administrator in
18 a Bureau-funded school (as defined in section
19 1141 of the Education Amendments of 1978
20 (25 U.S.C. 2021)).”.

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

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

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

3 “(4) ADDITIONAL AMOUNTS FOR EDUCATORS IN
4 BUREAU OF INDIAN EDUCATION-FUNDED SCHOOLS
5 AND LOCAL EDUCATIONAL AGENCIES WITH A HIGH
6 PERCENTAGE OF AMERICAN INDIAN STUDENTS.—
7 Notwithstanding the amount specified in paragraph
8 (1) and the requirements under subparagraphs (A)
9 and (B) of subsection (b)(1), the aggregate amount
10 that the Secretary shall cancel under this section
11 shall be not less than \$17,500 in the case of a bor-
12 rower who has been employed as a full-time teacher
13 or school administrator for 5 consecutive complete
14 school years as—

15 “(A) a teacher or school administrator in
16 a local educational agency described in section
17 6112(b)(1) of the Elementary and Secondary
18 Education Act of 1965; or

19 “(B) a teacher or school administrator in
20 a Bureau-funded school (as defined in section
21 1141 of the Education Amendments of 1978
22 (25 U.S.C. 2021)).”.

1 **SEC. 112. LOAN FORGIVENESS FOR AMERICAN INDIAN EDU-**
2 **CATORS.**

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

7 “(5) ADDITIONAL AMOUNTS FOR AMERICAN IN-
8 DIAN EDUCATORS.—Notwithstanding the amount
9 specified in paragraph (1) and the requirements
10 under subparagraphs (A) and (B) of subsection
11 (b)(1), the aggregate amount that the Secretary
12 shall repay under this section shall be not less than
13 \$17,500 in the case of a borrower who—

14 “(A) has been employed as a full-time
15 teacher or school administrator for 5 consecu-
16 tive complete school years in—

17 “(i) a Bureau-funded elementary
18 school or secondary school (as defined in
19 section 1141 of the Education Amend-
20 ments of 1978 (25 U.S.C. 2021)); or

21 “(ii) a public elementary school or
22 secondary school that is in the school dis-
23 trict of a local educational agency which is
24 eligible during the period of obligated serv-
25 ice for assistance under part A of title I of

1 the Elementary and Secondary Education
2 Act of 1965 (20 U.S.C. 6311 et seq.); and
3 “(B) is a member of an Indian tribe (as
4 defined in section 4 of the Indian Self-Deter-
5 mination and Education Assistance Act (25
6 U.S.C. 5304)).”.

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

11 “(5) ADDITIONAL AMOUNTS FOR AMERICAN IN-
12 DIAN EDUCATORS.—Notwithstanding the amount
13 specified in paragraph (1) and the requirements
14 under subparagraphs (A) and (B) of subsection
15 (b)(1), the aggregate amount that the Secretary
16 shall cancel under this section shall be not less than
17 \$17,500 in the case of a borrower who—

18 “(A) has been employed as a full-time
19 teacher or school administrator for 5 consecu-
20 tive complete school years in—

21 “(i) a Bureau-funded elementary
22 school or secondary school (as defined in
23 section 1141 of the Education Amend-
24 ments of 1978 (25 U.S.C. 2021)); or

1 “(ii) a public elementary school or
2 secondary school that is in the school dis-
3 trict of a local educational agency which is
4 eligible during the period of obligated serv-
5 ice for assistance under part A of title I of
6 the Elementary and Secondary Education
7 Act of 1965 (20 U.S.C. 6311 et seq.); and
8 “(B) is a member of an Indian tribe (as
9 defined in section 4 of the Indian Self-Deter-
10 mination and Education Assistance Act (25
11 U.S.C. 5304)).”.

12 **SEC. 113. CANCELLATION OF LOANS FOR EDUCATORS**
13 **TEACHING IN BUREAU OF INDIAN EDU-**
14 **CATION-FUNDED SCHOOLS AND NATIVE**
15 **AMERICAN LANGUAGE IMMERSION PRO-**
16 **GRAMS.**

17 Section 465(a)(2) of the Higher Education Act of
18 1965 (20 U.S.C. 1087ee(a)(2)) is amended—

19 (1) in subparagraph (A)—

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

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

24 (C) by inserting after clause (ii) the fol-
25 lowing:

1 “(iii) in an elementary school or sec-
 2 ondary school that is a Bureau-funded
 3 school (as defined in section 1141 of the
 4 Education Amendments of 1978 (25
 5 U.S.C. 2021));” and

6 (2) in subparagraph (G), by inserting “Native
 7 American language immersion,” after “foreign lan-
 8 guages,”.

9 **TITLE II—INSTITUTIONAL AID**

10 **PART A—PROFESSIONAL DEVELOPMENT GRANTS**

11 **FOR NATIVE-SERVING ELEMENTARY**

12 **SCHOOLS AND SECONDARY SCHOOLS**

13 **SEC. 201. NATIONAL BOARD CERTIFICATION INCENTIVE**

14 **PROGRAM.**

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

18 **“SEC. 6123. NATIONAL BOARD CERTIFICATION INCENTIVE**

19 **PROGRAM.**

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

21 “(1) to improve the skills of qualified individ-
 22 uals who are Indian (as defined by section 103 of
 23 the Native American Languages Act (25 U.S.C.
 24 2902)) or who teach Indian people;

1 “(2) to provide an incentive for qualified edu-
2 cators to continue to utilize their enhanced skills in
3 elementary schools and secondary schools serving In-
4 dian communities; and

5 “(3) to increase the retention of highly skilled
6 Indian educators in elementary schools and sec-
7 ondary schools seeking to better incorporate Indian
8 culture and history into the general curriculum.

9 “(b) DEFINITIONS.—In this section:

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

14 “(2) ELIGIBLE ENTITIES.—The term ‘eligible
15 entity’ means—

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

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

20 “(C) an Indian tribe or organization, in
21 consortium with a local educational agency and
22 an institution of higher education;

23 “(D) an Indian tribe or organization, in
24 consortium with a Bureau-funded school and an
25 institution of higher education; or

1 “(E) a Bureau-funded school in consor-
2 tium with an institution of higher education.

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

5 “(A) a teacher who teaches a minimum
6 number of Indian students, as determined by
7 the Secretary in consultation with Indian tribes;
8 or

9 “(B) a teacher who is Indian.

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

14 “(c) PROGRAM AUTHORIZED.—The Secretary is au-
15 thorized to award grants to eligible entities having applica-
16 tions approved under this section to enable such eligible
17 entities to—

18 “(1) reimburse eligible educators for out-of-
19 pocket costs associated with obtaining teacher cer-
20 tification or credentialing by the National Board for
21 Professional Teaching Standards; and

22 “(2) provide an increase in annual compensa-
23 tion, in an amount equal to not less than \$5,000
24 and not more than a \$10,000, for eligible educators
25 with a certification from the National Board for

1 Professional Teaching Standards for the duration of
2 the grant under this section.

3 “(d) APPLICATION.—

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

9 “(2) SPECIAL RULE.—In the case of an eligible
10 entity desiring to utilize all or a portion of a grant
11 under this section for eligible educators identified in
12 subparagraph (B) of subsection (b)(3) who would
13 not also qualify as an eligible educator under sub-
14 paragraph (A) of subsection (b)(3), the eligible enti-
15 ty shall provide an assurance that grant funds will
16 support only those educators who are tribally en-
17 rolled or affiliated with an Indian tribe.

18 “(e) AWARDING OF GRANTS.—In awarding grants
19 under this section, the Secretary shall determine the
20 amount and length of each grant, which shall not exceed
21 5 years.

22 “(f) RESTRICTIONS ON COMPENSATION IN-
23 CREASES.—The Secretary shall require and ensure that
24 individuals who obtain a certification from the National
25 Board for Professional Teaching Standards under this

1 section continue to teach at a school served by the eligible
2 entity through which funding for such certification was ob-
3 tained as a condition of receiving annual compensation in-
4 creases provided for in this section.

5 “(g) PROGRESS REPORTS.—

6 “(1) IN GENERAL.—For every year for which
7 Congress allocates funds for grants under this sec-
8 tion, the Secretary shall provide a report on the
9 progress of the eligible entities receiving grants
10 under this section in meeting applicable progress
11 standards, as determined by the Secretary.

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

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

17 “(B) The Committee on Indian Affairs of
18 the Senate.

19 “(C) The Subcommittee on Indian, Insu-
20 lar, and Alaska Native Affairs of the Committee
21 on Natural Resources of the House of Rep-
22 resentatives.

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

1 **PART B—NATIVE LANGUAGE TEACHER TRAINING**
2 **PROGRAM GRANTS FOR NATIVE-SERVING IN-**
3 **STITUTIONS OF HIGHER EDUCATION**

4 **SEC. 211. NATIVE LANGUAGE TEACHER TRAINING PRO-**
5 **GRAM DEVELOPMENT GRANTS FOR TRIBAL**
6 **COLLEGES AND UNIVERSITIES AND INSTITU-**
7 **TIONS OF HIGHER EDUCATION THAT SERVE**
8 **SIGNIFICANT NUMBERS OF NATIVE STU-**
9 **DENTS.**

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

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

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

14 **“PART G—NATIVE AMERICAN LANGUAGE**
15 **TEACHER TRAINING PROGRAM DEVELOPMENT**
16 **“SEC. 381. NATIVE AMERICAN LANGUAGE TEACHER TRAIN-**
17 **ING PROGRAM DEVELOPMENT.**

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

20 “(1) to increase the number of well-trained and
21 pedagogically effective Native American language
22 speakers in teaching and other education professions
23 that serve Indian people;

24 “(2) to provide ongoing training and profes-
25 sional development to Native American immersion

1 and language instructors to improve their linguistic
2 and pedagogical skills; and

3 “(3) to support the efforts of American Indian
4 and Alaska Native communities to effectively re-
5 vitalize, maintain, and teach their languages, as envi-
6 sioned in the Native American Languages Act (25
7 U.S.C. 2901 et seq.) and section 803C of the Native
8 American Programs Act of 1974 (42 U.S.C. 2991b-
9 3).

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

13 “(1) An institution eligible to receive funding
14 under section 316, 317(b), or 319(b).

15 “(2) A consortium of 2 or more institutions de-
16 scribed in paragraph (1).

17 “(c) GRANT PROGRAM AUTHORIZED.—

18 “(1) IN GENERAL.—The Secretary shall estab-
19 lish a program, to be known as the Native American
20 Language Teacher Training Program, under which
21 the Secretary shall provide grants, on a competitive
22 basis, to eligible institutions to promote the recruit-
23 ment and training of Native immersion and lan-
24 guage teachers to further support the revitalization,

1 maintenance, and use of Native American languages
2 in the classroom.

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

5 “(3) APPLICATION.—

6 “(A) IN GENERAL.—To be eligible to re-
7 ceive a grant under this subsection, an eligible
8 institution shall submit to the Secretary an ap-
9 plication at such time, in such manner, and
10 containing such information as the Secretary
11 may reasonably require.

12 “(B) APPLICATION PAPERWORK REDUC-
13 TION.—

14 “(i) The Secretary shall establish ap-
15 plication requirements in such a manner as
16 to simplify and streamline the process for
17 applying for grants under this section.

18 “(ii) The Secretary shall not require
19 any Tribal College or University, as de-
20 fined in section 316, applying individually
21 for a grant under this section, to submit
22 any separate, preliminary, or additional
23 grant eligibility application or information
24 because of the institution’s status as a
25 Tribal College or University.

1 “(C) INCLUSION.—An application under
2 this paragraph shall include a plan for the pro-
3 gram proposed to be carried out by the eligible
4 institution, including—

5 “(i) a description of a 5-year strategy
6 for meeting the Native immersion teacher
7 recruitment and training needs of Amer-
8 ican Indians or Alaska Natives, as appro-
9 priate, in the population served by the in-
10 stitution, including a description of any
11 partnerships with tribal, local, or Bureau-
12 operated educational agencies;

13 “(ii) an identification of the American
14 Indian or Alaska Native population to be
15 served by the eligible institution;

16 “(iii) an identification of the status of
17 the target Native American language or
18 languages used within the population;

19 “(iv) a description of the professional
20 development and degree services to be pro-
21 vided under the program, including the
22 manner in which the services will be inte-
23 grated with other appropriate activities
24 and programs; and

1 “(v) a description, to be prepared in
2 consultation with the Secretary, of the per-
3 formance measures to be used to assess
4 the performance of the eligible institution
5 carrying out the program.

6 “(D) REQUIREMENT.—A program plan
7 under subparagraph (C) shall be consistent
8 with the purposes of this section, as determined
9 by the Secretary.

10 “(d) USE OF FUNDS.—

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

14 “(A) Development of a new Native Amer-
15 ican immersion and language teacher training
16 program that leads to State or tribal teacher
17 certification.

18 “(B) Support and expansion of an existing
19 Native American immersion and language
20 teacher training program that leads to a State
21 or tribal teacher certification.

22 “(C) Development and delivery of profes-
23 sional development workshops and courses
24 aimed at improving the immersion and lan-
25 guage acquisition pedagogical practices of Na-

1 tive American immersion and language teach-
2 ers.

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

6 “(A) curriculum development and academic
7 instruction, including educational activities, pro-
8 grams, and partnerships relating to students in
9 prekindergarten through grade 12;

10 “(B) development and establishment of a
11 national Native American immersion and lan-
12 guage teacher best practices guideline or certifi-
13 cation;

14 “(C) professional development for institu-
15 tional faculty or for elementary and secondary
16 education administrators and educational sup-
17 port staff; and

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

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

24 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
25 is authorized to be appropriated to carry out this section

- 1 such sums as may be necessary for each of fiscal years
- 2 2018 through 2022.”.

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