

114TH CONGRESS
1ST SESSION

S. 1928

To support the education of Indian children.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2015

Mr. TESTER (for himself, Mr. FRANKEN, and Mr. HEINRICH) 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)(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

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

“(III) MILITARY SERVICE.—If the individual is a member of the National Guard or other reserve component of the Armed Forces of the United States, or a member of such Armed Forces in a retired status, and such individual is called or ordered to active duty (as defined in section 101(d)(1) of title 10, United States Code), such individual shall be eligible for a deferment during the period of active duty and for an appropriate period (as determined by the Secretary) after returning from active duty.

“(ii) CONDITIONS OF DEFERMENT.—A deferment granted under subparagraph (B) shall be subject to the following conditions:

“(I) The deferment period shall 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 paragraph (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, 2016,
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
6 259B(b), which shall include a commitment to
7 serve through full-time employment at an eligi-
8 ble 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)(iv), if the individual is employed full-time—

13 “(1) in a Bureau-funded school; or

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

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

22 “(1) State educational agency clearinghouses
23 for recruitment and placement of kindergarten, ele-
24 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 student 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)(iv), if the individual is employed full-time—

20 “(1) in a Bureau-funded school; or

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

1 of title I of the Elementary and Secondary Edu-
 2 cation Act 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)(iv), if the individual is employed full-
7 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;

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

(2) in subsection (c), by adding at the end the 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 7112(b) of the Elemen-
11 tary and Secondary Education Act of 1965; or

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

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

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

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

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

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

8 “(A) a teacher in a local educational agen-
 9 cy described in section 7112(b) of the Elemen-
 10 tary and Secondary Education Act of 1965; or

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

14 **SEC. 112. LOAN FORGIVENESS FOR AMERICAN INDIAN**
 15 **TEACHERS.**

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

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

1 shall repay under this section shall be not less than
2 \$17,500 in the case of a borrower who—

3 “(A) has been employed as a full-time
4 teacher for 5 consecutive complete school years
5 in a public elementary school or secondary
6 school or a Bureau-funded elementary school or
7 secondary school (as defined in section 1141 of
8 the Education Amendments of 1978 (25 U.S.C.
9 2021)); and

10 “(B) is a member of an Indian tribe (as
11 defined in section 4 of the Indian Self-Deter-
12 mination and Education Assistance Act (25
13 U.S.C. 450b)).”.

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

18 “(5) ADDITIONAL AMOUNTS FOR AMERICAN IN-
19 DIAN TEACHERS.—Notwithstanding the amount
20 specified in paragraph (1) and the requirements
21 under subparagraphs (A) and (B) of subsection
22 (b)(1), the aggregate amount that the Secretary
23 shall cancel under this section shall be not less than
24 \$17,500 in the case of a borrower who—

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

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

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

16 “(B) is a member of an Indian tribe (as
17 defined in section 4 of the Indian Self-Deter-
18 mination and Education Assistance Act (25
19 U.S.C. 450b)).”.

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) is amended—

8 (1) in subparagraph (A)—

9 (A) in clause (i)(I), 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 operated or funded by the
 17 Bureau of Indian Education (as defined in
 18 section 1141 of the Education Amend-
 19 ments 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 3 of part A of title VII of the Elementary
8 and Secondary Education Act of 1965 (20 U.S.C. 7451)
9 is amended by adding at the end the following:

10 **“SEC. 7137. 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. 450b).

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 2016 through 2020.”.

