

116TH CONGRESS
1ST SESSION

S. 1161

To support the education of Indian children.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2019

Mr. TESTER (for himself 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 of
 7 1965 (20 U.S.C. 1031 et seq.) is amended by adding at
 8 the end 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, State educational agen-
 20 cies, tribal educational agencies, and local edu-
 21 cational agencies.

22 “(b) DEFINITIONS.—In this subpart:

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

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

4 “(3) The term ‘Native-serving institution of
5 higher education’ means any institution of higher
6 education eligible under section 316, 317, or 319.

7 “(4) The term ‘tribal educational agency’ has
8 the meaning given the term in section 6132(b) of
9 the Elementary and Secondary Education Act of
10 1965.

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

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

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

22 “(B) A tribal child care and development
23 program carried out under the Child Care and
24 Development Block Grant Act of 1990 (42
25 U.S.C. 9858 et seq.).

1 “(C) A program serving children from
2 birth through age 6 that—

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

9 “(ii) is a tribal prekindergarten pro-
10 gram;

11 “(iii) is a program authorized under
12 section 619 or part C of the Individuals
13 with Disabilities Education Act; or

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

20 **“SEC. 259B. TERMS AND CONDITIONS OF SCHOLARSHIP**
21 **CONTRACTS.**

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

25 “(b) CONTENTS OF CONTRACT.—

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

5 “(A) A statement that the Secretary
6 agrees to provide the individual with a scholar-
7 ship in accordance with section 259C, 259D, or
8 259E, as the case may be.

9 “(B) A statement that the individual
10 agrees—

11 “(i) to accept the relevant scholarship
12 under this subpart;

13 “(ii) to maintain enrollment in the
14 course of study for which the scholarship
15 was awarded until the individual completes
16 the course of study;

17 “(iii) while enrolled in such course of
18 study, to maintain an acceptable level of
19 academic standing (as determined by the
20 Secretary, taking into account the require-
21 ments of the institution of higher edu-
22 cation offering such course of study); and

23 “(iv) to serve, through full-time em-
24 ployment at an eligible school or eligible
25 service employer (as described under sec-

tion 259C, 259D, or 259E, as the case may be), for a time period (referred to in this section as the ‘period of obligated service’) equal to the greater of—

“(I) 1 year for the equivalent of each school year for which the individual was provided a scholarship under this subpart; or

“(II) 3 years.

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

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

“(2) PERIOD OF OBLIGATED SERVICE.—

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

“(B) DEFERMENT.—

“(i) IN GENERAL.—At the request of an individual who has entered into a contract described in this subsection, the Sec-

retary shall grant a deferment for the period of obligated service of such individual under such contract for any of the following reasons:

“(I) ADVANCED STUDY.—For advanced study to enable such individual to complete a course of study—

“(aa) leading to an advanced degree in early childhood education, elementary or secondary education, or school administration; or

“(bb) needed to become certified by a State or Indian tribe to teach, for an appropriate period (in years, as determined by the Secretary).

“(II) FAMILY AND MEDICAL 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 Na-

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

13 “(ii) CONDITIONS OF DEFERMENT.—

14 A deferment granted under this subpara-
15 graph shall be subject to the following con-
16 ditions:

17 “(I) The deferment period shall
18 not be counted as satisfying any pe-
19 riod of obligated service that is re-
20 quired under this section.

21 “(II) The period of obligated
22 service of the individual shall com-
23 mence at the later of—

24 “(aa) 90 days after the com-
25 pletion of the deferment period;

1 “(bb) the commencement of
2 the first school year at the school
3 where the individual has been
4 hired that begins after the com-
5 pletion of the deferment; or

6 “(cc) a date specified by the
7 Secretary.

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

12 “(i) a scholarship under this subpart
13 shall be for a period of years not to exceed
14 the part-time equivalent of 4 years, as de-
15 termined by the Secretary;

16 “(ii) the period of obligated service
17 shall be equal to the greater of—

18 “(I) 1 year for the equivalent of
19 each full-time academic year for which
20 the individual was provided a scholar-
21 ship (as determined by the Secretary
22 by adding the fractions of a full-time
23 academic year that each period of
24 part-time attendance comprises); or

25 “(II) 2 years; and

1 “(iii) the amount of the monthly sti-
 2 pend specified in subsection (c) shall be re-
 3 duced pro rata, as determined by the Sec-
 4 retary, based on the number of hours of
 5 study in which such individual is enrolled.

6 “(c) SCHOLARSHIP.—

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

10 “(A) the tuition of the student;

11 “(B) all other reasonable educational ex-
 12 penses incurred by the student in such school
 13 year, including fees, books, laboratory expenses,
 14 and other expenses as determined by the Sec-
 15 retary; and

16 “(C) a stipend of \$800 per month (ad-
 17 justed in accordance with paragraph (3)) for
 18 each of the 12 consecutive months beginning
 19 with the first month of such school year.

20 “(2) PAYMENT TO AN INSTITUTION OF HIGHER
 21 EDUCATION.—The Secretary may contract with an
 22 institution of higher education in which a participant
 23 in the scholarship program under this subpart is en-
 24 rolled for the payment to such institution on behalf
 25 of the student of the amounts of tuition and other

1 reasonable educational expenses described in sub-
2 paragraph (A) and (B) of paragraph (1). Payment
3 to such institution may be made without regard to
4 subsections (a) and (b) of section 3324 of title 31,
5 United States Code.

6 “(3) STIPEND.—The amount of the monthly
7 stipend described in paragraph (1)(C) shall be in-
8 creased by the Secretary for each school year ending
9 in a fiscal year beginning after September 30, 2019,
10 by the amount (rounded to the next highest multiple
11 of \$1) equal to the amount of such stipend multi-
12 plied by the percentage adjustment in the rates of
13 pay under the General Schedule taking effect under
14 section 5303 of title 5, United States Code, during
15 the fiscal year in which such school year ends (if
16 such adjustment is an increase).

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

19 “(1) LIABILITY.—An individual who has en-
20 tered into a written contract with the Secretary
21 under this section shall be liable to the United
22 States for the amount which has been paid to, or on
23 behalf of, such individual under the contract, if such
24 individual—

1 “(A) fails to maintain an acceptable level
2 of academic standing in the institution of high-
3 er education in which the individual is enrolled
4 (as determined by the Secretary, taking into ac-
5 count the requirements of the institution of
6 higher education offering such course of study);

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

9 “(C) voluntarily terminates the training in
10 such institution of higher education for which
11 such individual is provided a scholarship under
12 such contract before the completion of such
13 training; or

14 “(D) fails to accept payment, or instructs
15 the institution of higher education in which
16 such individual is enrolled not to accept pay-
17 ment, under this section.

18 “(2) FAILURE TO COMPLETE THE PERIOD OF
19 OBLIGATED SERVICE.—An individual who has en-
20 tered into a written contract with the Secretary
21 under this section may petition the Secretary to
22 delay the date on which the individual would other-
23 wise be required to begin the period of obligated
24 service if such individual has not succeeded in ob-
25 taining employment required by this section. In sup-

1 port of such petition, the individual shall supply
2 such reasonable information as the Secretary may
3 require. The Secretary shall retain full discretion re-
4 garding the decision about whether to grant or de-
5 cline such a delay and to determine the duration of
6 any delay that is granted.

7 “(3) REPAYMENT.—

8 “(A) IN GENERAL.—An individual who has
9 entered into a written contract with the Sec-
10 retary under this section and who is liable for
11 any amount of damages which the United
12 States is entitled to recover under this sub-
13 section shall—

14 “(i) begin payment of such damages
15 to the United States within 1 year of the
16 date of the breach or on such later date as
17 specified by the Secretary; and

18 “(ii) repay the amount of such dam-
19 ages in full following a schedule and by a
20 deadline determined by the Secretary.

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

1 “(i) utilize collection agencies con-
 2 tracted with by the Administrator of the
 3 General Services Administration; or

4 “(ii) enter into contracts for the re-
 5 covery of such damages with collection
 6 agencies selected by the Secretary.

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

16 “(4) DEATH.—Upon the death of an individual
 17 who receives, or has received, a scholarship under
 18 this subpart, any obligation of such individual for
 19 service or payment that relates to such scholarship
 20 shall be canceled.

21 “(5) WAIVER.—

22 “(A) REQUIRED WAIVER.—The Secretary
 23 shall provide for the partial or total waiver or
 24 suspension of any obligation of service or pay-

1 ment of a recipient of a scholarship under this
2 subpart, if the Secretary determines that—

3 “(i) it is not possible for the recipient
4 to meet the obligation or make the pay-
5 ment;

6 “(ii) requiring the recipient to meet
7 the obligation or make the payment would
8 result in extreme hardship to the recipient;
9 or

10 “(iii) the enforcement of the require-
11 ment to meet the obligation or make the
12 payment would be unconscionable.

13 “(B) PERMISSIBLE WAIVER.—Notwith-
14 standing any other provision of law, for other
15 good cause shown, the Secretary may waive, in
16 whole or in part, the right of the United States
17 to recover funds made available under this sec-
18 tion.

19 “(6) BANKRUPTCY.—

20 “(A) IN GENERAL.—Subject to subpara-
21 graph (B), and notwithstanding any other pro-
22 vision of law, with respect to a recipient of a
23 scholarship under this subpart, no obligation
24 for payment may be released by a discharge in

1 bankruptcy under title 11 of the United States
2 Code.

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

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

9 “(ii) the bankruptcy court finds that
10 the nondischarge of the obligation would be
11 unconscionable.

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

18 **“SEC. 259C. INDIAN STUDENT EDUCATOR SCHOLARSHIP**
19 **PROGRAM.**

20 “(a) GRANTS AUTHORIZED.—

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

1 childhood education, elementary or secondary edu-
 2 cation, or school administration at an institution of
 3 higher education.

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

7 “(b) ELIGIBILITY.—

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

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

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

20 “(B) submit an application to participate
 21 in the Indian student educator scholarship pro-
 22 gram at such time and in such manner as the
 23 Secretary shall determine; and

24 “(C) sign and submit to the Secretary, at
 25 the time that such application is submitted, a

1 written contract as described in section 259B,
2 which shall include a commitment to serve
3 through full-time employment at an eligible
4 school for the period of obligated service.

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

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

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

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

19 “(4) 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 “(d) PLACEMENT ASSISTANCE.—The Secretary shall
24 assist the recipient of an Indian student educator scholar-
25 ship in learning about placement opportunities in eligible

1 schools by transmitting the name and educational creden-
 2 tials of such recipient to—

3 “(1) State educational agency clearinghouses
 4 for recruitment and placement of early childhood,
 5 kindergarten, elementary school, and secondary
 6 school teachers and school administrators in States
 7 with a significant number of Indian children;

8 “(2) Bureau of Indian Education early child-
 9 hood development programs;

10 “(3) elementary schools and secondary schools
 11 that are Bureau-funded schools; and

12 “(4) tribal educational agencies.

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

14 “(a) GRANTS AUTHORIZED.—

15 “(1) IN GENERAL.—The Secretary shall provide
 16 to each eligible applicant who is accepted for a schol-
 17 arship under this section with a scholarship grant in
 18 each school year or years for a period during which
 19 such individual is pursuing a course of study in early
 20 childhood education, elementary or secondary edu-
 21 cation, or school administration at an institution of
 22 higher education.

23 “(2) DESIGNATION.—Scholarships made under
 24 paragraph (1) shall be designated ‘Indian educator
 25 scholarships’.

1 “(b) ELIGIBILITY.—

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

5 “(2) CRITERIA.—In order to be eligible to re-
6 ceive an Indian educator scholarship, an individual
7 shall—

8 “(A) be an Indian;

9 “(B) be accepted for enrollment, or be en-
10 rolled, as a full-time or part-time student in a
11 course of study in early childhood education, el-
12 ementary or secondary education, or school ad-
13 ministration at an institution of higher edu-
14 cation;

15 “(C) submit an application to participate
16 in the Indian educator scholarship program at
17 such time and in such manner as the Secretary
18 shall determine; and

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

1 “(c) ELIGIBLE SCHOOLS.—An individual shall be
2 considered to be serving, through full-time employment at
3 an eligible school, as required under section
4 259B(b)(1)(B)(iv), if the individual is employed full-
5 time—

6 “(1) in a Bureau-funded school, including a
7 Bureau of Indian Education early childhood develop-
8 ment program;

9 “(2) in a public elementary school or secondary
10 school in the school district of a local educational
11 agency that is eligible during the period of obligated
12 service for assistance under part A of title I of the
13 Elementary and Secondary Education Act of 1965;

14 “(3) in a tribal early childhood education pro-
15 gram; or

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

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

1 “(1) State educational agency clearinghouses
 2 for recruitment and placement of kindergarten, ele-
 3 mentary school, and secondary school teachers and
 4 school administrators in States with a significant
 5 number of Indian children;

6 “(2) Bureau of Indian Education early child-
 7 hood development programs;

8 “(3) elementary schools and secondary schools
 9 that are Bureau-funded schools; and

10 “(4) tribal educational agencies.

11 **“SEC. 259E. INDIAN EDUCATOR GRADUATE FELLOWSHIP**
 12 **PROGRAM.**

13 “(a) GRANTS AUTHORIZED.—

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

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

23 “(b) ELIGIBILITY.—

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

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

7 “(A) be an Indian;

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

13 “(C) submit an application to participate
 14 in the Indian educator graduate fellowship pro-
 15 gram at such time and in such manner as the
 16 Secretary shall determine; and

17 “(D) sign and submit to the Secretary, at
 18 the time that such application is submitted, a
 19 written contract as described in section 259B,
 20 which shall include a commitment to serve
 21 through full-time employment at an eligible
 22 service employer for the period of obligated
 23 service.

24 “(c) ELIGIBLE SERVICE EMPLOYERS.—An individual
 25 shall be considered to be serving, through full-time em-

1 ployment at an eligible service employer, as required under
 2 section 259B(b)(1)(B)(iv), if the individual is employed
 3 full-time—

4 “(1) in a Bureau-funded school;

5 “(2) in a public elementary school or secondary
 6 school that serves a significant number of Indian
 7 students, as determined by the Secretary in con-
 8 sultation with Indian tribes;

9 “(3) by a Native-serving institution of higher
 10 education;

11 “(4) in a tribal early childhood education pro-
 12 gram;

13 “(5) in a federally funded early childhood edu-
 14 cation program that serves a significant number of
 15 Indian students, as determined by the Secretary in
 16 consultation with Indian tribes;

17 “(6) for a tribal educational agency;

18 “(7) for a State educational agency or local
 19 educational agency that serves a significant number
 20 of Indian students, as defined by the Secretary in
 21 consultation with Indian tribes;

22 “(8) for the Department; or

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

24 “(d) PLACEMENT ASSISTANCE.—The Secretary shall
 25 assist the recipient of an Indian educator graduate fellow-

1 ship in learning about placement opportunities in eligible
 2 service employers in such manner as the Secretary deter-
 3 mines appropriate.”.

4 **PART B—LOAN FORGIVENESS FOR INDIAN**
 5 **EDUCATORS**

6 **SEC. 111. LOAN FORGIVENESS FOR EDUCATORS WORKING**
 7 **IN BUREAU OF INDIAN EDUCATION-FUNDED**
 8 **SCHOOLS AND LOCAL EDUCATIONAL AGEN-**
 9 **CIES WITH A HIGH PERCENTAGE OF AMER-**
 10 **ICAN INDIAN STUDENTS.**

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

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

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

19 “(4) ADDITIONAL AMOUNTS FOR EDUCATORS IN
 20 BUREAU OF INDIAN EDUCATION-FUNDED SCHOOLS
 21 AND LOCAL EDUCATIONAL AGENCIES WITH A HIGH
 22 PERCENTAGE OF AMERICAN INDIAN STUDENTS.—
 23 Notwithstanding the amount specified in paragraph
 24 (1) and the requirements under subparagraphs (A)
 25 and (B) of subsection (b)(1), the aggregate amount

1 that the Secretary shall repay under this section
 2 shall be not less than \$17,500 in the case of a bor-
 3 rower who has been employed as a full-time teacher
 4 or school administrator for 5 consecutive complete
 5 school years as—

6 “(A) a teacher or school administrator in
 7 a local educational agency described in section
 8 6112(b)(1) of the Elementary and Secondary
 9 Education Act of 1965; or

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

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

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

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

21 “(4) ADDITIONAL AMOUNTS FOR EDUCATORS IN
 22 BUREAU OF INDIAN EDUCATION-FUNDED SCHOOLS
 23 AND LOCAL EDUCATIONAL AGENCIES WITH A HIGH
 24 PERCENTAGE OF AMERICAN INDIAN STUDENTS.—
 25 Notwithstanding the amount specified in paragraph

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

8 “(A) a teacher or school administrator in
 9 a local educational agency described in section
 10 6112(b)(1) of the Elementary and Secondary
 11 Education Act of 1965; or

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

16 **SEC. 112. LOAN FORGIVENESS FOR AMERICAN INDIAN EDU-**
 17 **CATORS.**

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 EDUCATORS.—Notwithstanding the amount
 24 specified in paragraph (1) and the requirements
 25 under subparagraphs (A) and (B) of subsection

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

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

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

“(ii) a public elementary school or secondary school in the school district of a local educational agency that is eligible during the period of obligated service for assistance under part A of title I of the Elementary and Secondary Education Act of 1965; and

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

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

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

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

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

“(ii) a public elementary school or
 secondary school in the school district of a
 local educational agency that is eligible
 during the period of obligated service for
 assistance under part A of title I of the El-
 ementary and Secondary Education Act of
 1965; and

“(B) is a member of an Indian tribe (as
 defined in section 4 of the Indian Self-Deter-
 mination and Education Assistance Act (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 PRO-**
 5 **GRAMS.**

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-funded
 17 school (as defined in section 1141 of the
 18 Education Amendments of 1978 (25
 19 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 edu-
18 cators to continue to utilize their enhanced skills in
19 elementary schools and secondary schools serving In-
20 dian communities; and

21 “(3) to increase the retention of highly skilled
22 Indian educators in elementary schools and sec-
23 ondary schools seeking to better incorporate Indian
24 culture 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 ENTITY.—The term ‘eligible en-
 6 tity’ 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;

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

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

19 “(3) ELIGIBLE EDUCATOR.—The term ‘eligible
 20 educator’ means—

21 “(A) a teacher who teaches a minimum
 22 number of Indian students, as determined by
 23 the Secretary in consultation with Indian tribes;
 24 or

25 “(B) a teacher who is Indian.

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

5 “(c) PROGRAM AUTHORIZED.—The Secretary is au-
6 thorized to award grants to eligible entities having applica-
7 tions approved under this section to enable such eligible
8 entities to—

9 “(1) reimburse eligible educators for out-of-
10 pocket costs associated with obtaining teacher cer-
11 tification or credentialing by the National Board for
12 Professional Teaching Standards; and

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

19 “(d) APPLICATION.—

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

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

10 “(e) AWARDING OF GRANTS.—In awarding grants
11 under this section, the Secretary shall determine the
12 amount and length of each grant, which shall not exceed
13 5 years.

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

22 “(g) PROGRESS REPORTS.—

23 “(1) IN GENERAL.—For every year for which
24 Congress allocates funds for grants under this sec-
25 tion, the Secretary shall provide a report on the

1 progress of the eligible entities receiving grants
2 under this section in meeting applicable progress
3 standards, as determined by the Secretary.

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

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

9 “(B) The Committee on Indian Affairs of
10 the Senate.

11 “(C) The Subcommittee on Indigenous
12 Peoples of the United States of the Committee
13 on Natural Resources of the House of Rep-
14 resentatives.

15 “(D) The Committee on Education and
16 Labor 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 talize, 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) IN GENERAL.—The Secretary
15 shall establish application requirements in
16 such a manner as to simplify and stream-
17 line the process for applying for grants
18 under this section.

19 “(ii) PROHIBITING ADDITIONAL
20 FORMS.—The Secretary shall not require
21 any Tribal College or University, as de-
22 fined in section 316(b), applying individ-
23 ually for a grant under this section, to sub-
24 mit any separate, preliminary, or addi-
25 tional grant eligibility application or infor-

1 mation because of the institution’s status
2 as a Tribal College or University.

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

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

16 “(ii) an identification of the American
17 Indian or Alaska Native population to be
18 served by the eligible institution;

19 “(iii) an identification of the status of
20 the target Native American language or
21 languages used within the population;

22 “(iv) a description of the professional
23 development and degree services to be pro-
24 vided under the program, including the
25 manner in which the services will be inte-

1 grated with other appropriate activities
2 and programs; and

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

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

12 “(d) USE OF FUNDS.—

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

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

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

24 “(C) Development and delivery of profes-
25 sional development workshops and courses

1 aimed at improving the immersion and lan-
 2 guage acquisition pedagogical practices of Na-
 3 tive American immersion and language teach-
 4 ers.

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

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

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

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

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

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

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out this section
3 such sums as may be necessary for each of fiscal years
4 2020 through 2024.”.

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