

117TH CONGRESS  
2D SESSION

# H. R. 8673

To support the education of Indian children.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 2022

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

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## 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-

ments of the institution of higher education offering such course of study); and

“(iv) to serve, through full-time employment at an eligible school or eligible service employer (as described under section 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

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          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, 2023,  
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 as 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 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) 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 2023 through 2027.”.

