

119TH CONGRESS  
2D SESSION

# S. 4869

To improve the Indian School Equalization Formula of the Bureau of Indian Education, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 23, 2026

Mr. HEINRICH (for himself and Ms. LUMMIS) introduced the following bill;  
which was read twice and referred to the Committee on Indian Affairs

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## A BILL

To improve the Indian School Equalization Formula of the Bureau of Indian Education, and for other purposes.

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 “Indigenous Students  
5       Excel through Parity Act of 2026”.

6       **SEC. 2. PURPOSES.**

7       The purposes of this Act are to study—

8               (1) the resources that Bureau-funded schools  
9       need to provide competitive salaries and benefits to

1 recruit and retain high-quality teachers, administra-  
2 tors, and all school staff;

3 (2) funding and other resources needed by the  
4 Bureau of Indian Education to ensure that students  
5 attending Bureau-funded schools receive a high-quality  
6 education; and

7 (3) potential revenue sources to bring Bureau  
8 of Indian Education funding, resources, and salaries  
9 into parity with other school systems.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) ASSISTANT SECRETARY.—The term “Assistant  
13 Secretary” means the Assistant Secretary for  
14 Indian Affairs.

15 (2) BUREAU-FUNDED SCHOOL.—The term “Bureau-funded  
16 school” has the meaning given the term  
17 in section 1141 of the Education Amendments of  
18 1978 (25 U.S.C. 2021).

19 (3) INDIAN SCHOOL EQUALIZATION FORMULA.—The term “Indian School Equalization For-  
20 mula” means the Indian School Equalization For-  
21 mula described in subparts B and C of part 39 of  
22 title 25, Code of Federal Regulations (or successor  
23 regulations).  
24

1           (4) INDIAN SCHOOL EQUALIZATION PRO-  
2       GRAM.—The term “Indian School Equalization Pro-  
3       gram” means the Indian School Equalization Pro-  
4       gram described in part 39 of title 25, Code of Fed-  
5       eral Regulations (or successor regulations).

6           (5) INDIAN TRIBE.—The term “Indian Tribe”  
7       means any Indian or Alaska Native Tribe, band, na-  
8       tion, pueblo, village, or other community included on  
9       the most recent list published by the Secretary  
10      under section 104 of the Federally Recognized In-  
11      dian Tribe List Act of 1994 (25 U.S.C. 5131).

12          (6) SECRETARY.—The term “Secretary” means  
13      the Secretary of the Interior.

14          (7) TRIBALLY CONTROLLED SCHOOL.—The  
15      term “tribally controlled school” has the meaning  
16      given the term in section 5212 of the Tribally Con-  
17      trolled Schools Act of 1988 (25 U.S.C. 2511).

18 **SEC. 4. INDIAN SCHOOL EQUALIZATION FORMULA STUDY.**

19      (a) STUDY REQUIRED.—

20          (1) IN GENERAL.—Not later than 1 year after  
21      the date of enactment of this Act, and in accordance  
22      with paragraph (3), the Secretary, in coordination  
23      with the Assistant Secretary and the Director of the  
24      Bureau of Indian Education, shall carry out a study  
25      relating to updating the Indian School Equalization

1       Formula, including by completing the process of de-  
2       veloping alternative methods for the equitable dis-  
3       tribution of the Indian School Equalization Formula,  
4       with consideration given to the factors described in  
5       paragraph (2).

6               (2) FACTORS DESCRIBED.—The factors referred  
7       to in paragraph (1) are the following:

8               (A) Ensuring that the Indian School  
9       Equalization Formula provides sufficient fund-  
10       ing to adequately fund Bureau-funded schools,  
11       including—

12               (i) schools operated by the Bureau of  
13       Indian Education; and

14               (ii) tribally controlled schools.

15               (B) The highest rate of basic compensa-  
16       tion, which shall be equal to the higher of—

17               (i) the highest quartile or average  
18       State-by-State salaries for school teachers,  
19       principals, other leadership positions, and  
20       all school staff at public schools that are  
21       not Bureau-funded schools; and

22               (ii) the rate of basic compensation for  
23       teacher and teaching positions in the De-  
24       partment of Defense as determined under  
25       the Defense Department Overseas Teach-

1                   ers Pay and Personnel Practices Act (20  
2                   U.S.C. 901 et seq.).

3                   (3) REQUIREMENTS.—In carrying out the study  
4                   of the Indian School Equalization Formula under  
5                   paragraph (1), the Secretary shall—

6                   (A) ensure that an updated Indian School  
7                   Equalization Formula provides sufficient fund-  
8                   ing to fully support salaries for school teachers,  
9                   principals, other leadership positions, and all  
10                  school staff at a rate commensurate with sala-  
11                  ries of non-Bureau of Indian Education teach-  
12                  ers, principals, other leadership positions, and  
13                  all school staff described in clauses (i) and (ii)  
14                  of paragraph (2)(B);

15                  (B) consider the weights or ratios related  
16                  to—

- 17                               (i) tribally controlled schools;  
18                               (ii) schools with fewer than 100 stu-  
19                               dents; and  
20                               (iii) schools located in rural areas; and

21                  (C) ensure that, in an updated Indian  
22                  School Equalization Formula, that Havasupai  
23                  Elementary School is awarded an additional  
24                  cost factor of 12.5 Weighted Student Unit (as

1 defined in section 39.2 of title 25, Code of Fed-  
 2 eral Regulations (or a successor regulation)).

3 (b) REPORT.—The Secretary, in coordination with  
 4 the Assistant Secretary and the Director of the Bureau  
 5 of Indian Education, and in consultation with national or-  
 6 ganizations representing Indian Tribes and students at-  
 7 tending Bureau-funded schools, shall submit to Congress  
 8 and make publicly available to Indian Tribes a report de-  
 9 scribing—

10 (1) the adequacy of the Indian School Equali-  
 11 zation Formula and the Indian School Equalization  
 12 Program in fulfilling the needs of Bureau-funded  
 13 schools and tribally controlled schools; and

14 (2) recommendations for increasing or modi-  
 15 fying factors to improve the Indian School Equali-  
 16 zation Formula.

17 **SEC. 5. STUDY OF REVENUE RESOURCES.**

18 Not later than 1 year after the date of enactment  
 19 of this Act, the Secretary, in coordination with the Assist-  
 20 ant Secretary and the Director of the Bureau of Indian  
 21 Education, shall carry out a study to identify potential  
 22 revenue sources to bring Bureau-funded schools into par-  
 23 ity with other schools.

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