



Arizona Department of Education
Office of Indian Education

Johnson O'Malley Eligibility
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[Part 273 of Title 25, Code of Federal Regulations](#)

§273.112 Who is an eligible Indian student under the Johnson-O'Malley Act?

An Indian student is eligible for benefits provided by a Johnson O'Malley contract if the student is:

- (a) From age three (3) years through grade(s) twelve (12);
- (b) Not enrolled in a Bureau-funded school or sectarian school (except the student is eligible if enrolled in a previously private school controlled by an Indian Tribe or Tribal organization); and
- (c) Is either:
 - (1) At least one-fourth ($\frac{1}{4}$) degree Indian blood descendant of a member of an Indian Tribe as defined in §273.106*; or
 - (2) A member of an Indian Tribe as defined in §273.106*.

* Indian Tribe means any Indian Tribe, band, nation, rancheria, pueblo, colony or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) which is federally recognized as eligible by the U.S. Government through the Secretary for the special programs and services provided by the Secretary to Indians because of their status as Indians.