

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To award grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language.

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IN THE SENATE OF THE UNITED STATES

Mr. SCHATZ introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To award grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language.

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 “Biliteracy Education  
5        Seal and Teaching Act” or the “BEST Act”.

6        **SEC. 2. FINDINGS.**

7        Congress finds the following:

1           (1) The people of the United States celebrate  
2           cultural and linguistic diversity and seek to prepare  
3           students with skills to succeed in the 21st century.

4           (2) It is fitting to commend the dedication of  
5           students who have achieved proficiency in multiple  
6           languages and to encourage their peers to follow in  
7           their footsteps.

8           (3) The congressionally-requested Commission  
9           on Language Learning, in its 2017 report “Amer-  
10          ica’s Languages: Investing in Language Education  
11          for the 21st Century”, notes the pressing national  
12          need for more people of the United States who are  
13          proficient in 2 or more languages for national secu-  
14          rity, economic growth, and the fulfillment of the po-  
15          tential of all people of the United States.

16          (4) The Commission on Language Learning  
17          also notes the extensive cognitive, educational, and  
18          employment benefits deriving from biliteracy.

19          (5) Biliteracy in general correlates with higher  
20          graduation rates, higher grade point averages, high-  
21          er rates of matriculation into higher education, and  
22          higher earnings for all students, regardless of back-  
23          ground.

24          (6) The study of America’s languages in ele-  
25          mentary and secondary schools should be encouraged

1       because it contributes to a student’s cognitive devel-  
2       opment and to the national economy and security.

3               (7) Recognition of student achievement in lan-  
4       guage proficiency will enable institutions of higher  
5       education and employers to readily recognize and ac-  
6       knowledge the valuable expertise of bilingual stu-  
7       dents in academia and the workplace.

8               (8) States such as Utah, Arizona, Washington,  
9       and New Mexico have developed innovative testing  
10      methods for languages, including Native American  
11      languages, where no formal proficiency test currently  
12      exists.

13              (9) The use of proficiency in a government-rec-  
14      ognized official Native American language as the  
15      base language for a Seal of Biliteracy, with pro-  
16      ficiency in any additional partner language dem-  
17      onstrated through tested proficiency, has been suc-  
18      cessfully demonstrated in Hawaii.

19              (10) Students in every State and every school  
20      should be able to benefit from a Seal of Biliteracy  
21      program.

22 **SEC. 3. DEFINITIONS.**

23       In this Act:

24              (1) ESEA DEFINITIONS.—The terms “English  
25      learner”, “secondary school”, and “State” have the

1 meanings given those terms in section 8101 of the  
2 Elementary and Secondary Education Act of 1965  
3 (20 U.S.C. 7801).

4 (2) NATIVE AMERICAN LANGUAGES.—The term  
5 “Native American languages” has the meaning given  
6 the term in section 103 of the Native American Lan-  
7 guages Act (25 U.S.C. 2902).

8 (3) SEAL OF BILITERACY PROGRAM.—The term  
9 “Seal of Biliteracy program” means any program  
10 described in section 4(a) that is established or im-  
11 proved, and carried out, with funds received under  
12 this Act.

13 (4) SECOND LANGUAGE.—The term “second  
14 language” means any language other than English  
15 (or a Native American language, pursuant to section  
16 4(a)(2)), including Braille, American Sign Lan-  
17 guage, or a Classical language.

18 (5) SECRETARY.—The term “Secretary” means  
19 the Secretary of Education.

20 **SEC. 4. GRANTS FOR STATE SEAL OF BILITERACY PRO-**  
21 **GRAMS.**

22 (a) ESTABLISHMENT OF PROGRAM.—

23 (1) IN GENERAL.—From amounts made avail-  
24 able under subsection (f), the Secretary shall award  
25 grants, on a competitive basis, to States to enable

1 the States to establish or improve, and carry out,  
2 Seal of Biliteracy programs to recognize student  
3 proficiency in speaking, reading, and writing in both  
4 English and a second language.

5 (2) INCLUSION OF NATIVE AMERICAN LAN-  
6 GUAGES.—Notwithstanding paragraph (1), each Seal  
7 of Biliteracy program shall contain provisions allow-  
8 ing the use of Native American languages, including  
9 allowing speakers of any Native American language  
10 recognized as official by any American government,  
11 including any Tribal government, to use equivalent  
12 proficiency in speaking, reading, and writing in the  
13 Native American language in lieu of proficiency in  
14 speaking, reading, and writing in English.

15 (3) DURATION.—A grant awarded under this  
16 section shall be for a period of 2 years, and may be  
17 renewed at the discretion of the Secretary.

18 (4) RENEWAL.—At the end of a grant term, a  
19 State that receives a grant under this section may  
20 reapply for a grant under this section.

21 (5) LIMITATIONS.—A State shall not receive  
22 more than 1 grant under this section at any time.

23 (6) RETURN OF UNSPENT GRANT FUNDS.—  
24 Each State that receives a grant under this section  
25 shall return any unspent grant funds not later than

1           6 months after the date on which the term for the  
2           grant ends.

3           (b) GRANT APPLICATION.—A State that desires a  
4           grant under this section shall submit an application to the  
5           Secretary at such time, in such manner, and containing  
6           such information and assurances as the Secretary may re-  
7           quire, including—

8                   (1) a description of the criteria a student must  
9                   meet to demonstrate the proficiency in speaking,  
10                  reading, and writing in both languages necessary for  
11                  the State Seal of Biliteracy program;

12                  (2) a detailed description of the State's plan—

13                           (A) to ensure that English learners and  
14                           former English learners are included in the  
15                           State Seal of Biliteracy program;

16                           (B) to ensure that—

17                                   (i) all languages, including Native  
18                                   American languages, can be tested for the  
19                                   State Seal of Biliteracy program; and

20                                   (ii) Native American language speak-  
21                                   ers and learners are included in the State  
22                                   Seal of Biliteracy program, including stu-  
23                                   dents at tribally controlled schools and at  
24                                   schools funded by the Bureau of Indian  
25                                   Education; and

1 (C) to reach students, including eligible  
2 students described in subsection (c)(2) and  
3 English learners, their parents, and schools  
4 with information regarding the State Seal of  
5 Biliteracy program;

6 (3) an assurance that a student who meets the  
7 requirements under paragraph (1) and subsection  
8 (c) receives—

9 (A) a permanent seal or other marker on  
10 the student's secondary school diploma or its  
11 equivalent; and

12 (B) documentation of proficiency on the  
13 student's official academic transcript; and

14 (4) an assurance that a student is not charged  
15 a fee for providing information under subsection  
16 (c)(1).

17 (c) STUDENT PARTICIPATION IN A SEAL OF  
18 BILITERACY PROGRAM.—

19 (1) IN GENERAL.—To participate in a Seal of  
20 Biliteracy program, a student shall provide informa-  
21 tion to the State that serves the student at such  
22 time, in such manner, and including such informa-  
23 tion and assurances as the State may require, in-  
24 cluding an assurance that the student has met the

1 criteria established by the State under subsection  
2 (b)(1).

3 (2) STUDENT ELIGIBILITY FOR PARTICIPA-  
4 TION.—A student who gained proficiency in a second  
5 language outside of school may apply under para-  
6 graph (1) to participate in a Seal of Biliteracy pro-  
7 gram.

8 (d) USE OF FUNDS.—Grant funds made available  
9 under this section shall be used for—

10 (1) the administrative costs of establishing or  
11 improving, and carrying out, a Seal of Biliteracy  
12 program that meets the requirements of subsection  
13 (b); and

14 (2) public outreach and education about the  
15 Seal of Biliteracy program.

16 (e) REPORT.—Not later than 18 months after receiv-  
17 ing a grant under this section, a State shall issue a report  
18 to the Secretary describing the implementation of the Seal  
19 of Biliteracy program for which the State received the  
20 grant.

21 (f) AUTHORIZATION OF APPROPRIATIONS.—There  
22 are authorized to be appropriated to carry out this section  
23 \$10,000,000 for each of fiscal years 2022 through 2026.