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, and early language programs.

IN THE SENATE OF THE UNITED STATES

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

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, and early language programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Biliteracy Education Seal and Teaching Act” or the “BEST Act”.

SECTION 2. FINDINGS.

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

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

(3) The congressionally requested Commission on Language Learning, in its 2017 report “America’s Languages: Investing in Language Education for the 21st Century”, notes the pressing national need for more people of the United States who are proficient in 2 or more languages for national security, economic growth, and the fulfillment of the potential of all people of the United States.

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

(5) Biliteracy in general correlates with higher graduation rates, higher grade point averages, higher rates of matriculation into higher education, and higher earnings for all students, regardless of background.

(6) The study of America’s languages in elementary and secondary schools should be encouraged
because it contributes to a student’s cognitive development and to the national economy and security.

(7) Recognition of student achievement in language proficiency will enable institutions of higher education and employers to readily recognize and acknowledge the valuable expertise of bilingual students in academia and the workplace.

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

(9) The use of proficiency in a government-recognized official Native American language as the base language for a Seal of Biliteracy, with proficiency in any additional partner language demonstrated through tested proficiency, has been successfully demonstrated in Hawaii.

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

SEC. 3. DEFINITIONS.

In this Act:

(1) ESEA DEFINITIONS.—The terms “elementary school”, “English learner”, “local educational
agency”, “middle grades”, “secondary school”, and “State” have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) **CLASSICAL LANGUAGE.**—The term “classical language”—

(A) means—

(i) a language that is no longer spoken; or

(ii) a language—

(I) the spoken varieties of which diverge further away from the classical language over time; and

(II) that possesses an independent literary tradition and a large body of ancient written literature; and

(B) includes Greek, Latin, Chinese, Arabic, and Sanskrit.

(3) **NATIVE AMERICAN LANGUAGE.**—The term “Native American language” has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).

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

(5) SECOND LANGUAGE.—The term "second language"—

(A) means any language other than—

(i) English; or

(ii) in a case where the provisions of paragraph (2) of section 4(a) apply, the Native American language of proficiency described in such paragraph; and

(B) includes Braille, American Sign Language, or a classical language.

(6) SECRETARY.—The term "Secretary" means the Secretary of Education.

SEC. 4. GRANTS FOR STATE SEAL OF BILITERACY PROGRAMS.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—From amounts made available under subsection (f), the Secretary shall award grants, on a competitive basis, to States to enable the States to establish or improve, and carry out, Seal of Biliteracy programs and early language programs that lead to a Seal of Biliteracy to recognize student proficiency in both English and a second language, which—
(A) shall be demonstrated through proficiency in speaking and writing in both languages; and

(B) may also be demonstrated through reading and listening in both languages.

(2) Inclusion of Native American Languages.—Notwithstanding paragraph (1), each Seal of Biliteracy program shall contain provisions allowing the use of Native American languages, including allowing speakers of any Native American language recognized as official by any American government, including any Tribal government, to use equivalent proficiency in speaking, reading, and writing in the Native American language in lieu of proficiency in speaking, reading, and writing in English.

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

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

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

(6) Return of Unspent Grant Funds.—Each State that receives a grant under this section
shall return any unspent grant funds not later than 6 months after the date on which the term for the grant ends.

(b) GRANT PROGRAM.—A State that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

(1) a description of the criteria a student must meet to demonstrate proficiency for the State Seal of Biliteracy in both languages, which—

(A) shall include proficiency criteria for the productive skills of speaking and writing; and

(B) may include proficiency criteria for the skills of reading and listening;

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

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

(B) to ensure equitable access to the State Seal of Biliteracy program for students with identified disabilities, including vision and hearing impairments and cognitive or learning disabilities, that preclude demonstration of lan-
guage proficiency in one of the skills identified in paragraph (1);

(C) to ensure that—

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

(ii) Native American language speakers and learners are included in the State Seal of Biliteracy program, including students at tribally-controlled schools and at schools funded by the Bureau of Indian Education; and

(D) to reach elementary school and middle grades students (including eligible students described in subsection (c)(2), heritage language learners, and English learners), their parents, and schools with information regarding the State Seal of Biliteracy program;

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

(A) a permanent seal or other marker on the student’s secondary school diploma or its equivalent; or
(B) documentation of proficiency on the
student’s official academic transcript; and

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

(c) Student Participation in a Seal of Biliteracy Program.—

(1) In General.—To participate in a Seal of Biliteracy program, a student shall provide informa-
tion to the State that serves the student at such
time, in such manner, and including such informa-
tion and assurances as the State may require, in-
cluding an assurance that the student has met the
criteria established by the State under subsection
(b)(1).

(2) Student Eligibility for Participation.—A student who gained proficiency in a second
language outside of school may apply to the State of
the student’s residence under paragraph (1) to par-
ticipate in a Seal of Biliteracy program.

(d) Use of Funds.—Grant funds made available
under this section shall be used for—

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

(2) public outreach and education about the Seal of Biliteracy program; and

(3) subgrants to local educational agencies for language educator professional development, public outreach, and subsidizing baseline and final Seal of Biliteracy testing for low-income students.

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

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2024 through 2028.