



118TH 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, 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.

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 “elemen-
25 tary school”, “English learner”, “local educational

1 agency”, “middle grades”, “secondary school”, and
2 “State” have the meanings given those terms in sec-
3 tion 8101 of the Elementary and Secondary Edu-
4 cation Act of 1965 (20 U.S.C. 7801).

5 (2) CLASSICAL LANGUAGE.—The term “clas-
6 sical language”—

7 (A) means—

8 (i) a language that is no longer spo-
9 ken; or

10 (ii) a language—

11 (I) the spoken varieties of which
12 diverge further away from the clas-
13 sical language over time; and

14 (II) that possesses an inde-
15 pendent literary tradition and a large
16 body of ancient written literature; and

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

19 (3) NATIVE AMERICAN LANGUAGE.—The term
20 “Native American language” has the meaning given
21 the term in section 103 of the Native American Lan-
22 guages Act (25 U.S.C. 2902).

23 (4) SEAL OF BILITERACY PROGRAM.—The term
24 “Seal of Biliteracy program” means any program
25 described in section 4(a) that is established or im-

1 proved, and carried out, with funds received under
2 this Act.

3 (5) SECOND LANGUAGE.—The term “second
4 language”—

5 (A) means any language other than—

6 (i) English; or

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

11 (B) includes Braille, American Sign Lan-
12 guage, or a classical language.

13 (6) SECRETARY.—The term “Secretary” means
14 the Secretary of Education.

15 **SEC. 4. GRANTS FOR STATE SEAL OF BILITERACY PRO-**
16 **GRAMS.**

17 (a) ESTABLISHMENT OF PROGRAM.—

18 (1) IN GENERAL.—From amounts made avail-
19 able under subsection (f), the Secretary shall award
20 grants, on a competitive basis, to States to enable
21 the States to establish or improve, and carry out,
22 Seal of Biliteracy programs and early language pro-
23 grams that lead to a Seal of Biliteracy to recognize
24 student proficiency in both English and a second
25 language, which—

1 (A) shall be demonstrated through pro-
2 ficiency in speaking and writing in both lan-
3 guages; and

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

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

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

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

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

24 (6) RETURN OF UNSPENT GRANT FUNDS.—
25 Each State that receives a grant under this section

1 shall return any unspent grant funds not later than
2 6 months after the date on which the term for the
3 grant ends.

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

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

12 (A) shall include proficiency criteria for the
13 2 productive skills of speaking and writing; and

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

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

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

20 (B) to ensure equitable access to the State
21 Seal of Biliteracy program for students with
22 identified disabilities, including vision and hear-
23 ing impairments and cognitive or learning dis-
24 abilities, that preclude demonstration of lan-

1 guage proficiency in one of the skills identified
2 in paragraph (1);

3 (C) to ensure that—

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

8 (ii) Native American language speak-
9 ers and learners are included in the State
10 Seal of Biliteracy program, including stu-
11 dents at tribally-controlled schools and at
12 schools funded by the Bureau of Indian
13 Education; and

14 (D) to reach elementary school and middle
15 grades students (including eligible students de-
16 scribed in subsection (c)(2), heritage language
17 learners, and English learners), their parents,
18 and schools with information regarding the
19 State Seal of Biliteracy program;

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

23 (A) a permanent seal or other marker on
24 the student's secondary school diploma or its
25 equivalent; or

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

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

6 (c) STUDENT PARTICIPATION IN A SEAL OF
7 BILITERACY PROGRAM.—

8 (1) IN GENERAL.—To participate in a Seal of
9 Biliteracy program, a student shall provide informa-
10 tion to the State that serves the student at such
11 time, in such manner, and including such informa-
12 tion and assurances as the State may require, in-
13 cluding an assurance that the student has met the
14 criteria established by the State under subsection
15 (b)(1).

16 (2) STUDENT ELIGIBILITY FOR PARTICIPA-
17 TION.—A student who gained proficiency in a second
18 language outside of school may apply to the State of
19 the student's residence under paragraph (1) to par-
20 ticipate in a Seal of Biliteracy program.

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

23 (1) the administrative costs of establishing or
24 improving, and carrying out, a Seal of Biliteracy

1 program that meets the requirements of subsection
2 (b);

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

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

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

14 (f) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to carry out this section
16 \$10,000,000 for each of fiscal years 2024 through 2028.