

117TH CONGRESS
1ST SESSION

H. R. 1731

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.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2021

Ms. BROWNLEY (for herself, Mrs. AXNE, Mr. VARGAS, Mr. PANETTA, Mr. GRIJALVA, Mr. LANGEVIN, Mr. CARBAJAL, Mr. LOWENTHAL, Mr. PRICE of North Carolina, Ms. NORTON, Ms. TITUS, Ms. CHU, Ms. LEGER FERNANDEZ, Mrs. NAPOLITANO, Ms. JACKSON LEE, Mr. CÁRDENAS, Mr. SAN NICOLAS, and Mr. SOTO) introduced the following bill; which was referred to the Committee on Education and Labor

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”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

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

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

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

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

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

1 (6) The study of America’s languages in ele-
2 mentary and secondary schools should be encouraged
3 because it contributes to a student’s cognitive devel-
4 opment and to the national economy and security.

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

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

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

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

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) ESEA DEFINITIONS.—The terms “English
2 learner”, “secondary school”, and “State” have the
3 meanings given those terms in section 8101 of the
4 Elementary and Secondary Education Act of 1965
5 (20 U.S.C. 7801).

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

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

15 (4) SECOND LANGUAGE.—The term “second
16 language” means any language other than English
17 (or a Native American language, pursuant to section
18 4(a)(2)), including Braille, American Sign Lan-
19 guage, or a Classical language.

20 (5) SECRETARY.—The term “Secretary” means
21 the Secretary of Education.

22 **SEC. 4. GRANTS FOR STATE SEAL OF BILITERACY PRO-**
23 **GRAMS.**

24 (a) ESTABLISHMENT OF PROGRAM.—

1 (1) IN GENERAL.—From amounts made avail-
2 able under subsection (f), the Secretary shall award
3 grants, on a competitive basis, to States to enable
4 the States to establish or improve, and carry out,
5 Seal of Biliteracy programs to recognize student
6 proficiency in speaking, reading, and writing in both
7 English and a second language.

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

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

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

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

1 (6) RETURN OF UNSPENT GRANT FUNDS.—

2 Each State that receives a grant under this section
3 shall return any unspent grant funds not later than
4 6 months after the date on which the term for the
5 grant ends.

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

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

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

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

19 (B) to ensure that—

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

23 (ii) Native American language speak-
24 ers and learners are included in the State
25 Seal of Biliteracy program, including stu-

1 dents at tribally controlled schools and at
2 schools funded by the Bureau of Indian
3 Education; and

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

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

12 (A) a permanent seal or other marker on
13 the student's secondary school diploma or its
14 equivalent; and

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

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

20 (c) STUDENT PARTICIPATION IN A SEAL OF
21 BILITERACY PROGRAM.—

22 (1) IN GENERAL.—To participate in a Seal of
23 Biliteracy program, a student shall provide informa-
24 tion to the State that serves the student at such
25 time, in such manner, and including such informa-

1 tion and assurances as the State may require, in-
2 cluding an assurance that the student has met the
3 criteria established by the State under subsection
4 (b)(1).

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

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

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

16 (2) public outreach and education about the
17 Seal of Biliteracy program.

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

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$10,000,000 for each of fiscal years 2022 through 2026.

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