AMENDMENT TO
RULES COMMITTEE PRINT 116-57
OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of title XVII, insert the following new subtitle:

Subtitle F—Biliteracy Education
Seal and Teaching Act

SEC. 1771. SHORT TITLE.
This subtitle may be cited as the “Biliteracy Education Seal and Teaching Act” or the “BEST Act”.

SEC. 1772. 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 two 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. 1773. DEFINITIONS.

In this subtitle:

(1) ESEA DEFINITIONS.—The terms “English learner”, “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) NATIVE AMERICAN LANGUAGES.—The term “Native American languages” has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).

(3) SEAL OF BILITERACY PROGRAM.—The term “Seal of Biliteracy program” means any program described in section 1774(a) that is established or
improved, and carried out, with funds received under this subtitle.

(4) SECOND LANGUAGE.—The term “second language” means any language other than English (or a Native American language, pursuant to section 1774(a)(2)), including Braille, American Sign Language, or a Classical language.

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

SEC. 1774. 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 to recognize student proficiency in speaking, reading, and writing in both English and a second language.

(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 APPLICATION.—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 the proficiency in speaking,
reading, and writing in both languages necessary for
the State Seal of Biliteracy program;

(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 that—

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

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

(C) to reach students, including eligible
students described in subsection (e)(2) 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; and

(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).

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

(1) In general.—To participate in a Seal of Biliteracy program, a student shall provide information to the State that serves the student at such time, in such manner, and including such information and assurances as the State may require, including 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 under paragraph (1) to participate 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); and

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

(e) REPORT.—Not later than 18 months after receiv-
ing 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 2021 through 2025.