



EXPANDING DIGITAL INCLUSION VIA THE BIPARTISAN INFRASTRUCTURE LAW

**Recommendations for
States in Implementing the
Digital Equity Act and the
Broadband Equity, Access,
and Deployment Program**

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THE INFRASTRUCTURE INVESTMENT AND JOBS ACT PASSED BY CONGRESS IN 2021 MADE LANDMARK INVESTMENTS IN DIGITAL INCLUSION THROUGH THE **\$42.45 BILLION BROADBAND EQUITY, ACCESS, AND DEPLOYMENT (BEAD) PROGRAM AND THE \$2.75 BILLION DIGITAL EQUITY ACT.**

The legislation provides formula funding and competitive grants¹ to invest in a broad range of digital inclusion activities, including supporting individuals' adoption and use of broadband internet, digital devices, and digital skills. Significantly, the BEAD program also invests in training and upskilling the workforce needed to install and support new broadband infrastructure. [Learn more about the Digital Equity Act in NSC's fact sheet](#), and get official information about [BEAD](#) and the [Digital Equity Act](#) from the US Commerce Department.

These vital investments reflect National Skills Coalition's [principles for an inclusive economic recovery](#), particularly principle #6: *Digital access and learning for all working people at home and on the job.*

Now, as state implementation of these new policies gets underway,

NSC is publishing **recommendations to help state officials – as well as workforce and education advocates – to most effectively use these new investments** to improve the economic and civic life of their communities.

Following these recommendations can help states substantially boost the number of state residents who have in-demand digital skills, close the “homework gap” and other digital inclusion challenges facing students and workers, and ensure that local employers have the workforce they need, even as more jobs grow to require digital skills. These recommendations can also help states' broadband deployment projects succeed, by ensuring that they have sufficient well-qualified workers to hit the ground running on new infrastructure projects.

RECOMMENDATIONS FOR **STATE OFFICIALS**





NOTE: *The first six of these recommendations are designed to support states in developing an effective process for implementing this new legislation, while the next four are more directly focused on specific policy steps that state officials can take.*

1 Intentionally gather meaningful input on State Digital Equity Plans from a diverse group of workforce and education partners, small businesses, workers and students.

The legislation requires states to consult with key stakeholders in developing their State Digital Equity Plans, and to align those plans with state workforce and economic development plans. Because digital inequities vary based on demographics and rural or urban setting, having broad regional representation among stakeholders will provide a better understanding of the statewide issues and solutions.

To ensure that states benefit from the full range of expertise that these stakeholders have to offer, **NSC recommends assembling a hands-on working group** that is co-chaired by a state official and includes

representatives from workforce development, adult education, community college, and other education/training providers, industry sector partnerships and small businesses, workforce practitioners, digital inclusion organizations, chambers of commerce, and students and workers themselves. This working group should provide ongoing, formative feedback throughout the entire 12-month planning period and should **not** be limited to the federally mandated 30-day public comment period.

Feedback should be solicited regarding the plan itself as well as the state's proposed process for regranting its formula funding to the local level. State officials should establish multiple avenues for input from working group members as well as from stakeholders who are unable to participate in the working group. These could include: 1) On-site listening sessions held in collaboration with partner organizations; 2) virtual public listening sessions; 3) opportunities to submit written comments or testimony; and 4) opportunities to review and comment on draft planning language.

In addition, given that English language learners are specifically named as a covered population in the legislation, states should also strive to provide opportunities for individuals to comment in languages other than English. Finally, given the importance of obtaining feedback from under-represented and low-income community members, states should consider how they can provide individuals with honoraria or stipends to cover the costs associated with participating in a workgroup.²

2 Capitalize on knowledge and expertise already possessed by workforce, education, and digital inclusion providers to shape State Digital Equity Plans and activities. In addition to seeking input through the process described above, states should specifically invite advocates and practitioners to share materials that are relevant to State Plan requirements. These may include existing datasets and statistics about residents' digital skills (in aggregate form to protect privacy), established digital inclusion program models, proven community engagement practices, and other promising practices.

For example, workforce boards may already have conducted [surveys](#) that provide useful baseline information about digital skills for covered populations. Adult education providers may have established strong, trusting relationships with marginalized communities. Digital inclusion organizations may have successfully implemented digital skill-building programs. Community Anchor Institutions and nonprofit community-based organizations may have developed best practices for closing racial equity gaps. By building on these resources, states can save time and money while ensuring that State Plans are responsive both to federal requirements *and* to the full array of state residents.

3 Identify how previous federal and state investments have tackled digital equity issues, and where there are successes to be built upon or failures to be learned from. Across the country, states and localities have used CARES

Act, American Rescue Plan Act, and other federal and state funding to address a wide range of digital equity issues.

States should learn from the results of efforts such as [St. Paul's Tech-Pak program](#), [Long Beach's digital inclusion initiative](#), and [California's Cell-Ed pilot](#). States can also review the [list of Digital Inclusion Trailblazers](#) selected by the nonprofit National Digital Inclusion Alliance for additional examples. Reviewing the outcomes of previous efforts will help ensure that State Plans do not double down on ineffective strategies, or waste time and money reinventing practices that have already been developed and honed.

4 Ensure that trusted organizations representing communities of color are involved throughout the digital equity planning and implementation process. Successfully closing racial and other equity gaps will require intentional, strategic, and challenging work to design policies that tackle longstanding inequities. Digital equity gaps, like other inequities in our society, are often caused or heightened by public policy choices. Because public policies have helped to create these gaps, policies should be part of the solution.

The Bipartisan Infrastructure Law specifically recognizes this responsibility, stating that "achieving digital equity is a matter of social and economic justice and is worth pursuing," and further that the State Plans must include "the identification of the barriers to digital equity faced by covered populations in the State." These covered populations include racial and ethnic minorities. Organizations that represent cov-



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ered populations, particularly those that have earned the trust of community members over a significant period of time, should be integral to shaping the State Plan and its implementation. States should solicit their input on how policies can best be designed to [provide accountability and insure a truly inclusive economic recovery](#) that does not leave workers of color behind.

5 Establish a mechanism for stakeholders to provide ongoing input after the State Plan is finalized. State Plans will form the roadmap for five years of federal investment. As the past few years have shown, external factors such as the Covid pandemic can dramatically reshape our digital and economic landscape in a short period of time. State Plans cannot hope to anticipate all of the changes that will occur in the coming five years. Therefore, states should establish a formal process for stakeholders to provide ongoing input to shape the implementation of the State Plan

throughout the five-year period, not just at its outset. For example, stakeholders could be reconvened to help inform an annual report card on State Plan progress.

6 Use the State Planning process to identify digital workforce needs and opportunities that may not be able to be addressed via DEA or BEAD funding and should be tackled using state or other investments. In developing their Digital Equity Plans, states may identify specific needs that cannot be addressed using these federal funds. It is imperative that these be documented so that future policies and investments can help to address them. For example, states may identify additional industry-specific digital skills that are in demand in the local labor market and require additional investment.



7 Ensure that BEAD investments help to advance Digital Equity goals. The BEAD program will send more than \$42 billion to states over the next five years. The federal government already requires states to align their BEAD Five-Year Action Plans with their Digital Equity Act plans. States should actively use BEAD funding to amplify the impact of DEA investments. While the specifics of this approach will vary depending on state characteristics (given that some states will need to spend a greater proportion of their BEAD funds on broadband deployment), every state should take an entrepreneurial approach to ensuring that both programs build on each other's momentum.

For example, a state could use BEAD funding to support the implementation of the state's Digital Equity Plan (a use that is allowed under federal rules provided that funds are supplementing and not supplanting DEA funds), or a state might use Digital Equity Act funding to provide introductory or foundational digital skills programs and BEAD funding to provide the next phase of more advanced industry-specific digital skill-building programs. There are also opportunities for state planning offices to collaborate with other departments and agencies leading state infrastructure planning work, including overlap between broadband deployment and road and other utility infrastructure plans.

8 Dedicate a robust portion of BEAD funding to workforce development and career pathway activities, including via industry sector partnerships and/or apprenticeships that result in high-quality, stackable credentials. The massive investment in broadband occurring through the BEAD program will create a sizeable increase in job opportunities for skilled workers across a wide range of occupations, from broadband tower technicians to fiber optics installers. States should move quickly to ramp up workforce training program capacity via community colleges and other qualified partners such as nonprofit workforce development providers.

Fortunately, training and workforce development are allowable uses of BEAD funds. More importantly, the federal government's Notice of Funding Opportunity for the BEAD program explicitly states: "[States] and their subgrantees should make appropriate investments to develop a skilled, diverse workforce for the jobs that subgrantees need to fill."

States' BEAD proposals are required to explain how states will develop and promote sector-based partnerships; create equitable on-ramps to broadband-related jobs; and ensure that jobs created by the BEAD program are available to a diverse pool of workers. States should make sure to take advantage of federal encouragement to set requirements for their subgrantees that require the provision of Registered Apprenticeships and similar high-quality on-the-job training opportunities; ensure job quality; and prioritize hiring of local workers and those from underrepresented backgrounds. In doing so, states can draw on examples such as [California's High Road Training Partnerships](#) and recommendations from NSC's own [principles for an inclusive economic recovery](#).

9 Establish a formal learning and evaluation process. As states navigate the process of these significant investments, it will be especially important to ensure that they document and share emerging lessons from program providers and other stakeholders. Beyond simply meeting their reporting requirements to the federal government, states should articulate a clear vision for how the findings from these programs and services will be captured and disseminated to help iterate and improve each new

phase of digital equity and broadband investment. This might take the form of an annual report card, as proposed in recommendation #5 above. Importantly, states should ensure that there are strong privacy protections in place so that no individual's personally identifiable information is disclosed, but rather that program data is made available in aggregate form, including by each of the various covered populations under the law.

10 Review other existing state workforce and education policies to better align them with Digital Equity goals. State workforce, adult education, and higher education officials should

take this opportunity to review existing policies pertaining to new and incumbent worker training, adult education, and credit-bearing and noncredit higher education to ensure that they reflect emerging and best practices in digital equity. For example, incumbent worker training funds should explicitly include digital skills as an allowable use. Adult education policies should encourage the use of the federal Measurable Skill Gain indicator or similar state measures to capture digital skills learning gains among adult learners. State financial assistance policies for non-degree credentials and shorter-term training programs should be inclusive of digital skills credentials.



RECOMMENDATIONS FOR **WORKFORCE AND EDUCATION ADVOCATES AND PRACTITIONERS**



MAKE A SEAT AT THE TABLE

1 Participate early and substantively in the Digital Equity Planning process.

Advocates should proactively contact their state broadband office or other state agency in charge of overseeing the State Digital Equity Planning Process, ask what the process will look like, and suggest how they would like to contribute. The State Plan will form a roadmap for nearly \$1.5 billion in federal formula funding over the next five years. It is imperative that advocates' voices be heard now, as the Plan is being written, to ensure that workers and adult learners are reflected in its priorities.

Advocates should also consider whether there are other stakeholders who could help to inform particular aspects of the State Plan (such as those with expertise in serving veterans, rural communities, people with disabilities, or English language learners), and ensure that they are also connected with state officials.

USE THE POWER OF STORYTELLING

2 Share promising or emerging practices from practitioners' work on digital skill building in the Digital Equity process.

Advocates should use the information they have learned in providing workforce development, adult education, or

ADVOCATES SHOULD FOCUS STATE OFFICIALS' ATTENTION ON ACTIONABLE IDEAS BY SHARING THEIR ANSWERS TO QUESTIONS SUCH AS:

- ▶ What has your organization observed regarding digital skill gaps among staff, jobseekers, and learners?
- ▶ What policies have been most helpful in addressing digital skill gaps?
- ▶ What policies are getting in the way of addressing digital skill gaps?
- ▶ What strategies and tactics have been most effective in closing racial equity gaps in digital skills?
- ▶ What needs to be spelled out in your State Plan to ensure that effective strategies are replicated across your state (or that ineffective approaches are not copied)?

digital skill-building programs and services over the past several years to inform the State Plan.³

If skills advocates are not already closely connected with digital inclusion practitioners in their community, they can consult the National Digital Inclusion Alliance [list of affiliates](#) to find local contacts.

ADVOCATE FOR EFFECTIVE PROCESSES

3 Make sure that organizations that represent covered populations, particularly those that have earned the trust of community members over a significant period of time, are part of shaping the State Plan.

The Digital Equity Act specifically emphasizes a list of covered populations⁴ whose abilities and needs must be addressed

in the State Plan. While some of these constituencies may already be represented at the planning table, others may not be. If necessary, advocate for more organizations to be invited to the table and for more inclusive planning processes (such as more off-site meetings or virtual meeting options) to ensure that those who are closest to the problem are informing the state's proposed solutions.

4 Propose a process for stakeholders to provide ongoing input after State Plans are finalized.

Once state Digital Equity Plans and BEAD Action Plans are completed, states will spend the next five years implementing those plans. Advocates should act quickly to propose a process by which they can provide ongoing feedback to state officials during this implementation period. The rapidly changing economy



and labor market make clear that no plan can fully anticipate the shifts occurring in our society. By establishing a formal mechanism to provide regular input, advocates can ensure that their states' investment of federal dollars continues to reflect state residents' needs despite changing conditions on the ground.

ADVOCATE FOR WISE POLICES

5 Advocate for digital equity investments that support people's goals and aspirations.

Individuals often identify "getting a job" or "getting a better job" as their primary reason for pursuing skill-building opportunities, including digital skills. Workforce development and education providers should

draw on their relationships with small businesses and industry sector partnerships to identify where there are opportunities for Digital Equity Plans to support individuals' digital skill-building aspirations, while also responding to local labor market demand. Advocates should collect and share (aggregate, non-private) information about jobseekers' and learners' priorities in pursuing education and training, and ensure that State Plans meaningfully invest in supporting their goals. In doing so, advocates can look to NSC's [principles for an inclusive economic recovery](#) for ideas.

6 Ensure that a sizeable portion of BEAD funding is invested in inclusive workforce development.

As noted above, the \$42 billion federal BEAD program will trigger a

major increase in job opportunities for skilled workers, from broadband tower technicians to fiber optics installers. Advocates should work closely with their state broadband office to ensure that state BEAD proposals include detailed and robust plans for -- and dedicated investment in -- broadband workforce development. Advocates should ensure that state officials are connected to existing industry sector partnerships, apprenticeship and pre-apprenticeship programs, high-quality training programs, and other relevant stakeholders. In addition, advocates should strongly encourage state officials to require their BEAD subgrantees to provide Registered Apprenticeships and similar high-quality on-the-job training opportunities; set standards for job quality; and prioritize hiring of local workers and those from underrepresented backgrounds.

7 Advocate for other existing state workforce and education policies to align with Digital Equity goals. Advocates are often in the best position to identify bottlenecks or barriers in existing policies that are preventing good work on digital skill-building. Where such roadblocks exist, advocates should identify them for state officials and make recommendations for how policies can be improved. For example, state correctional education programs may restrict or even prohibit the use of digital technology or internet access. Removing these restrictions can allow incarcerated individuals to prepare effectively for life and employment after release.

TAKE NOTES AND DOCUMENT

8 Make certain that valuable data is captured and shared.

States will be collecting significant data through their various sub-grantees and partners in implementing digital equity programs. Advocates should do their utmost to ensure that this data is made available to the field in a timely fashion and via usable formats. While individual privacy should be closely protected, aggregate data will be essential to determining whether digital equity programs are meeting the overarching vision of the legislation and the State Plans, or missing the mark. Advocates should put forth a vision for how data can most effectively be disseminated to

practitioners and community members, and urge officials to establish clear and easy to follow guidelines for responsible information-sharing. NSC's *Data for an Inclusive Economic Recovery* brief may provide helpful guidance.

9 Document digital-skills-related needs and opportunities that may not be able to be addressed via DEA or BEAD funding

and should be tackled using state or other investments. Advocates should pay close attention to issues raised by community members and other stakeholders during the Digital Equity and BEAD planning processes and make note of those that are not being addressed with these federal funds. These unaddressed items will provide a valuable map for future advocacy at the state and federal level.



HOW IS YOUR COMMUNITY MAKING USE OF THESE RECOMMENDATIONS? LET US KNOW!

Contact National Skills Coalition to share how Digital Equity Act and BEAD implementation are taking place in your community, and how you're keeping skills at the forefront of digital equity conversations. Email info@nationalskillscoalition.org to share your story.

ENDNOTES

- 1 Formula funding is distributed to all states based on a funding formula set by Congress, whereas competitive grants are open for states (and other eligible entities) to apply for, but are not guaranteed.
- 2 One example comes from Washington State's Poverty Reduction Work Group, which provided stipends (funded via SB 5793 to individuals to enable them to participate).
- 3 As appropriate, advocates should also submit their publications or best practices to national clearinghouses, such as those hosted by the nonprofit National Digital Inclusion Alliance, the Benton Institute, or other resource hubs overseen by the US Commerce Department's National Telecommunications and Information Administration. Sharing resources will aid advocates in other states to replicate existing good practices rather than starting from scratch.
- 4 The term covered populations means individuals who live in households with income below 150% of the poverty level; aging individuals; incarcerated individuals, other than individuals who are incarcerated in a Federal correctional facility; veterans; individuals with disabilities; individuals with a language barrier, including individuals who are English learners and have low levels of literacy; individuals who are members of a racial or ethnic minority group; and individuals who primarily reside in a rural area.

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