

CHAPTER 461

AN ACT concerning the accessibility of public school websites and web services and supplementing chapter 36 of Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.18A:36-35.1 School website compliance, Web Content Accessibility Guidelines; statement of assurance.

1. a. No school district, charter school, renaissance school, or the Marie H. Katzenbach School for the Deaf shall make available to the enrolled students of the district or school or to the public an Internet website or web service unless the Internet website or web service complies with the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA or the most up-to-date version of the guidelines if the guidelines are approved by the Commissioner of Education, or any other applicable guidelines or requirements as may be designated or approved by the Commissioner of Education.

b. The Commissioner of Education shall establish a procedure to obtain a statement of assurance that shall be submitted by the school district, charter school, renaissance school, or the Marie H. Katzenbach School for the Deaf concerning the accessibility compliance status of the Internet website or web service of a school district, charter school, renaissance school, or the Marie H. Katzenbach School for the Deaf. The Department of Education shall be responsible for collecting the statements of assurance, which shall attest that an Internet website or web service complies with the requirements of this section and shall post such information on the Department of Education's Internet website which shall be updated every two years.

c. (1) If a school district, charter school, renaissance school, or the Marie H. Katzenbach School for the Deaf establishes an Internet website or web service after the effective date of this act, the public school shall submit the statement of assurance to the department. An Internet website or web service established by a school district, charter school, renaissance school, or the Marie H. Katzenbach School for the Deaf before or after the effective date of this act shall be permitted to operate while pending receipt of the statement of assurance by the department.

(2) Every two years following the effective date of this act, a school district, charter school, renaissance school, or the Marie H. Katzenbach School for the Deaf shall submit the statement of assurance attesting to the compliance of each Internet website or web service operated by the school district, charter school, renaissance school, or the Marie H. Katzenbach School for the Deaf with the requirements of this section.

d. Nothing in this section shall be construed to bar, exclude, or otherwise affect any right or action that exists under the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

e. As used in this section, "Internet website or web service" includes any webpage, website, web service, online curriculum, or online third party or open educational resource product that is made available to enrolled students or the public by a school district, charter school, renaissance school, or the Marie H. Katzenbach School for the Deaf through the Internet.

2. This act shall take effect on the first day of the sixth month next following the date of enactment, but the Commissioner of Education may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved January 18, 2022.