

[Third Reprint]

ASSEMBLY, No. 4856

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED OCTOBER 22, 2020

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SYNOPSIS

Requires Internet websites and web services of school districts, charter schools, renaissance schools, and the Marie H. Katzenbach School for the Deaf to be accessible to persons with disabilities.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on December 16, 2021, with amendments.

(Sponsorship Updated As Of: 1/10/2022)

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

4
 5 **BE IT ENACTED** by the Senate and General Assembly of the State
 6 of New Jersey:

7
 8 1. a. ²**[Any Internet website or web service of a]** No² school
 9 district, charter school, ¹**[or]**¹ renaissance school ¹, or the Marie H.
 10 Katzenbach School for the Deaf¹ shall ²**[comply]** make available to
 11 the enrolled students of the district or school or to the public an
 12 Internet website or web service unless the Internet website or web
 13 service complies² with the Web Content Accessibility Guidelines
 14 (WCAG) 2.1 Level AA ²**[,]**² or the most up-to-date version of the
 15 guidelines ²**if the guidelines are approved by the Commissioner of**
 16 Education, or any other applicable guidelines or requirements as
 17 may be designated or approved by the Commissioner of Education².

18 b. The Commissioner of Education shall establish a procedure
 19 to ³**[determine whether]** obtain a statement of assurance that shall
 20 be submitted by the school district, charter school, renaissance
 21 school, or the Marie H. Katzenbach School for the Deaf concerning
 22 the accessibility compliance status of³ the Internet website or web
 23 service of a school district, charter school, ¹**[or]**¹ renaissance
 24 school ¹, or the Marie H. Katzenbach School for the Deaf¹
 25 ³**[complies with the requirements of this section]**³. The ²**[Office of**
 26 Information Technology in the]² Department of Education shall be
 27 responsible for ³**[issuing certifications of compliance, which**
 28 **certifications]** collecting the statements of assurance, which³ shall
 29 attest that an Internet website or web service complies with the
 30 requirements of ¹**[the]** this¹ section ³**and shall post such**
 31 information on the Department of Education's Internet website
 32 which shall be updated every two years³.

33 c. (1) If a school district, charter school, ¹**[or]**¹ renaissance
 34 school ¹, or the Marie H. Katzenbach School for the Deaf¹
 35 establishes ²**[or significantly improves]**² an Internet website or web
 36 service after the effective date of this act, the public school shall
 37 ³**[receive a certification of compliance from]** submit the statement
 38 of assurance to³ the ²**[office before the Internet website or web**
 39 service may be considered operational] department². ²An Internet
 40 website or web service established by a school district, charter
 41 school, renaissance school, or the Marie H. Katzenbach School for
 42 the Deaf ³**before or**³ after the effective date of this act shall be
 43 permitted to operate while pending receipt of ³**[a certification of**

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted January 25, 2021.

²Assembly AAP committee amendments adopted May 18, 2021.

³Senate SBA committee amendments adopted December 16, 2021.

- 1 compliance from ¹ the statement of assurance by ³ the department. ²
- 2 (2) Every two years following ² initial certification, the office
- 3 shall ¹ the effective date of this act, a school district, charter school,
- 4 renaissance school, or the Marie H. Katzenbach School for the Deaf
- 5 shall ³ certify or ² recertify ¹ submit the statement of assurance
- 6 attesting to ³ the compliance of each Internet website or web service
- 7 operated by ² a ² the ¹ school district, charter school, ¹ or ¹
- 8 renaissance school ¹ , or the Marie H. Katzenbach School for the
- 9 Deaf ¹ with the requirements of this section.
- 10 d. ² Nothing in this section shall be construed to bar, exclude, or
- 11 otherwise affect any right or action that exists under the “Law
- 12 Against Discrimination,” P.L.1945, c.169 (C.10:5-1 et seq.).
- 13 e. ² As used in this section, “Internet website or web service”
- 14 includes any webpage, website, web service, online curriculum, or
- 15 online third party or open educational resource product that is made
- 16 available to enrolled students or the public by a school district,
- 17 charter school, ¹ or ¹ renaissance school ¹ , or the Marie H.
- 18 Katzenbach School for the Deaf ¹ through the Internet.
- 19
- 20 2. This act shall take effect ¹ immediately ¹ on the first day of
- 21 the sixth month next following the date of enactment ¹ ² , but the
- 22 Commissioner of Education may take any anticipatory administrative
- 23 action in advance as shall be necessary for the implementation of this
- 24 act ².