

P.L. 2021, CHAPTER 461, *approved January 18, 2022*
Assembly, No. 4856 (*Third Reprint*)

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:

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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 ²if 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 ³and 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

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 of assurance to³ the ²office before the Internet website or web
2 service may be considered operational department². ²An Internet
3 website or web service established by a school district, charter
4 school, renaissance school, or the Marie H. Katzenbach School for
5 the Deaf ³before or³ after the effective date of this act shall be
6 permitted to operate while pending receipt of ³a certification of
7 compliance from the statement of assurance by³ the department.²

8 (2) Every two years following ²initial certification, the office
9 shall the effective date of this act, a school district, charter school,
10 renaissance school, or the Marie H. Katzenbach School for the Deaf
11 shall ³certify or² recertify submit the statement of assurance
12 attesting to³ the compliance of each Internet website or web service
13 operated by ²a the² school district, charter school, ¹or¹
14 renaissance school ¹, or the Marie H. Katzenbach School for the
15 Deaf¹ with the requirements of this section.

16 d. ²Nothing in this section shall be construed to bar, exclude, or
17 otherwise affect any right or action that exists under the “Law
18 Against Discrimination,” P.L.1945, c.169 (C.10:5-1 et seq.).

19 e.² As used in this section, “Internet website or web service”
20 includes any webpage, website, web service, online curriculum, or
21 online third party or open educational resource product that is made
22 available to enrolled students or the public by a school district,
23 charter school, ¹or¹ renaissance school ¹, or the Marie H.
24 Katzenbach School for the Deaf¹ through the Internet.

26 2. This act shall take effect ¹immediately on the first day of
27 the sixth month next following the date of enactment¹ ², but the
28 Commissioner of Education may take any anticipatory administrative
29 action in advance as shall be necessary for the implementation of this
30 act².

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