

[Second Reprint]  
**SENATE, No. 3094**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED NOVEMBER 5, 2020

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**Co-Sponsored by:**

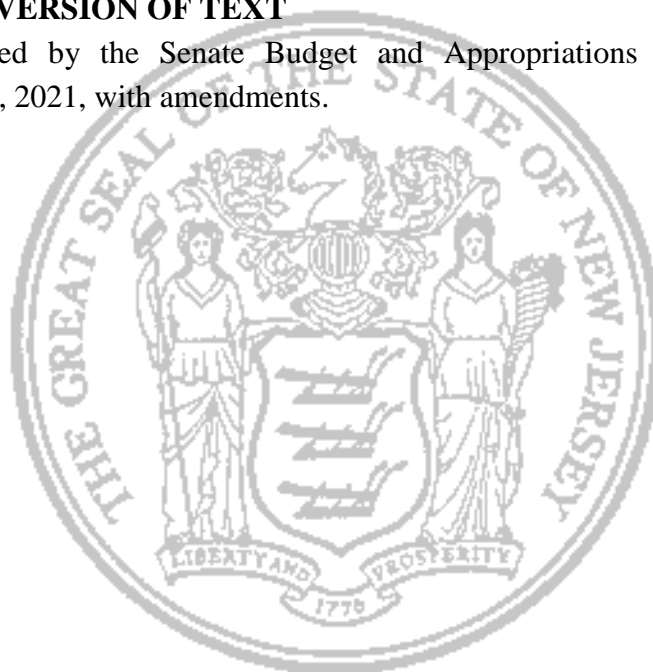
**Senators Pou and Cunningham**

**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: 2/9/2021)**

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. <sup>1</sup>**[Any Internet website or web service of a]** No<sup>1</sup> school  
 9 district, charter school, <sup>1</sup>**[or]** renaissance school <sup>1</sup>, or the Marie H.  
 10 Katzenbach School for the Deaf<sup>1</sup> shall <sup>1</sup>**[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 complies<sup>1</sup> with the Web Content Accessibility Guidelines  
 14 (WCAG) 2.1 Level AA <sup>1</sup>**[,]**<sup>1</sup> or the most up-to-date version of the  
 15 guidelines <sup>1</sup>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 Education<sup>1</sup>.

18 b. The Commissioner of Education shall establish a procedure  
 19 to <sup>2</sup>**[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 of<sup>2</sup> the Internet website or web  
 23 service of a school district, charter school, <sup>1</sup>**[or]**<sup>1</sup> renaissance  
 24 school <sup>1</sup>, or the Marie H. Katzenbach School for the Deaf<sup>1</sup>  
 25 <sup>2</sup>**[complies with the requirements of this section]**<sup>2</sup>. The <sup>1</sup>**[Office of**  
 26 **Information Technology in the]**<sup>1</sup> Department of Education shall be  
 27 responsible for <sup>2</sup>**[issuing certifications of compliance, which**  
 28 **certifications]** collecting the statements of assurance, which<sup>2</sup> shall  
 29 attest that an Internet website or web service complies with the  
 30 requirements of <sup>1</sup>**[the]** this<sup>1</sup> section <sup>2</sup>and shall post such  
 31 information on the Department of Education's Internet website  
 32 which shall be updated every two years<sup>2</sup>.

33 c. (1) If a school district, charter school, <sup>1</sup>**[or]**<sup>1</sup> renaissance  
 34 school <sup>1</sup>, or the Marie H. Katzenbach School for the Deaf<sup>1</sup>  
 35 establishes <sup>1</sup>**[or significantly improves]**<sup>1</sup> an Internet website or web  
 36 service after the effective date of this act, the public school shall  
 37 <sup>2</sup>**[receive a certification of compliance from]** submit the statement  
 38 of assurance to<sup>2</sup> the <sup>1</sup>**[office before the Internet website or web**  
 39 **service may be considered operational]** department<sup>1</sup>. <sup>1</sup>An 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 <sup>2</sup>before or<sup>2</sup> after the effective date of this act shall be

**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:

<sup>1</sup>Senate SED committee amendments adopted November 8, 2021.

<sup>2</sup>Senate SBA committee amendments adopted December 16, 2021.

1 permitted to operate while pending receipt of <sup>2</sup>**[a certification of**  
2 **compliance from]** the statement of assurance by <sup>2</sup> the department.<sup>1</sup>

3 (2) Every two years following <sup>1</sup>**[initial certification, the office**  
4 **shall]** the effective date of this act, a school district, charter school,  
5 renaissance school, or the Marie H. Katzenbach School for the Deaf  
6 shall <sup>2</sup>**[certify or**<sup>1</sup> **recertify]** submit the statement of assurance  
7 attesting to<sup>2</sup> the compliance of each Internet website or web service  
8 operated by <sup>1</sup>**[a]** the<sup>1</sup> school district, charter school, <sup>1</sup>**[or]**<sup>1</sup>  
9 renaissance school <sup>1</sup>, or the Marie H. Katzenbach School for the  
10 Deaf<sup>1</sup> with the requirements of this section.

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

14 e.<sup>1</sup> As used in this section, “Internet website or web service”  
15 includes any webpage, website, web service, online curriculum, or  
16 online third party or open educational resource product that is made  
17 available to enrolled students or the public by a school district,  
18 charter school, <sup>1</sup>**[or]**<sup>1</sup> renaissance school <sup>1</sup>, or the Marie H.  
19 Katzenbach School for the Deaf<sup>1</sup> through the Internet.

20

21 2. This act shall take effect <sup>1</sup>**[immediately]** on the first day of  
22 the sixth month next following the date of enactment, but the  
23 Commissioner of Education may take any anticipatory  
24 administrative action in advance as shall be necessary for the  
25 implementation of this act<sup>1</sup>.