

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 3094

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2021

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3094 (1R), with committee amendments.

As amended, this bill establishes accessibility standards for the Internet websites and web services of school districts, charter schools, renaissance schools, and the Marie H. Katzenbach School for the Deaf (“public school”).

Specifically, the bill requires that no public school will make available to the enrolled students of the district or school or to the public an Internet website or web service unless the 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 approved by the Commissioner of Education, or any other applicable guidelines or requirements as may be designated or approved by the commissioner. The WCAG guidelines provide standards through which digital content may be accessible for persons with disabilities. In June 2018, the WCAG 2.1 guidelines were issued to improve accessibility guidance for three major groups: users with cognitive or learning disabilities, users with low vision, and users with disabilities on mobile devices.

Under the bill, the Commissioner of Education would be required to obtain a statement of assurance from 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.

The bill provides that when a public school establishes an Internet website or web service after the effective date of this bill, the school would be required to submit a statement of assurance to the Department of Education. Under the bill, an Internet website or web service established by a public school before or after the effective date of the bill would be permitted to operate while pending receipt of the statement of assurance. The bill also requires a public school to submit a statement of assurance attesting to the compliance of each Internet website or web service operated by the

public school every two years following the effective date of the bill.

The bill provides that nothing in the bill would be construed to bar, exclude, or otherwise affect any right or action that exists under the State “Law Against Discrimination.”

As defined in this bill, the term “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 public school through the Internet.

As amended and reported, this bill is identical to Assembly Bill No. 4856 (3R), which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to require the Department of Education to obtain a statement of assurance from school districts, charter schools, renaissance schools, and the Marie H. Katzenbach School for the deaf that the schools are complying with the accessibility standards required by this bill.

FISCAL IMPACT:

The Office of Legislative Services (OLS) determines that this bill would result in increased local costs to school districts, charter schools, and renaissance schools to the extent that the Internet websites or web services of individual districts and schools do not meet the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA standard or any other applicable guidelines or requirements as may be designated or approved by the Department of Education (DOE). The bill may also result in slightly increased expenditures to the State to provide funds to modify the Internet website or web service of the Marie H. Katzenbach School for the Deaf, to the extent that the Internet website or web service of that school would need to be improved to comply with the WCAG 2.1 Level AA standard or another standard approved by the DOE.

The number of public schools that do not already comply with the accessibility standards required under the bill, and the total costs associated with the measures needed to achieve compliance, is unknown. The OLS notes, however, that available evidence suggests that the costs of making individual websites compliant with these standards are wide ranging; the most conservative estimates typically start at a few thousand dollars.

Lastly, the bill may also result in marginal increased costs to the DOE, which is tasked with collecting statements of assurance from public schools.