

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 4856

**STATE OF NEW JERSEY
219th LEGISLATURE**

DATED: MAY 20, 2021

SUMMARY

- Synopsis:** Requires Internet websites and web services of school districts, charter schools, and renaissance schools to be accessible to persons with disabilities.
- Type of Impact:** State expenditure increase. Increase in local school district, charter school, and renaissance school expenditures.
- Agencies Affected:** Department of Education. Local school districts, charter schools, renaissance schools.

Office of Legislative Services Estimate

Fiscal Impact	
State Cost Increase	Indeterminate
Local Cost Increase	Indeterminate

- 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.
- 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.
- Lastly, the OLS finds that the bill would also likely result in increased costs to the Department of Education (DOE), which is tasked with issuing certificates of compliance to public schools attesting to the schools’ adherence to the WCAG 2.1 Level AA standard.

BILL DESCRIPTION

This bill requires the Internet website and web services of every school district, charter school, renaissance school, and the Marie H. Katzenbach School for the Deaf (“public school”) to comply with the WCAG 2.1 Level AA, or the most up-to-date version of the guidelines. The WCAG 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 DOE is required to establish a procedure for determining whether an Internet website or web service complies with the WCAG guidelines. The Office of Information Technology in the DOE would be responsible for issuing certifications of compliance to attest that an Internet website or web service complies with these requirements.

The bill provides that when a public school establishes or significantly improves an Internet website or web service after the effective date of this bill, the school would be required to receive a certification of compliance from the office before the website may be considered operational. The bill also requires the office to recertify the compliance of each Internet website or web service operated by a public school every two years following initial certification.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The 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 comply with the WCAG 2.1 Level AA standard. The OLS notes that provisions of the federal Americans with Disabilities Act have broadly been interpreted to require public school websites to be accessible to individuals with disabilities. This bill would require public schools to meet a specific standard. The number of public schools that do not already comply with the federal American Disabilities Act or the WCAG 2.1 Level AA web accessibility standard, or both, is unknown. Available evidence suggests that the costs of making individual websites compliant with these standards are wide ranging, but the most conservative estimates typically start at a few thousand dollars.

The OLS notes that the DOE may incur additional costs 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.

Lastly, the OLS finds that the bill would likely result in increased costs to the DOE’s Office of Information Technology, which is newly tasked with issuing certificates of compliance to public schools attesting to the schools’ adherence to the WCAG 2.1 Level AA standard. This office will likely incur additional staffing costs to ensure each public school’s compliance with the web accessibility standard laid out in this bill.

Section: Education

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).