LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 4856

STATE OF NEW JERSEY
219th LEGISLATURE

DATED: MAY 24, 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 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.

- Lastly, the OLS finds that the bill would also likely result in increased costs to the DOE, which is tasked with issuing certificates of compliance to public schools attesting to the schools' adherence to the web accessibility standards under the bill.

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BILL DESCRIPTION

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 DOE, or any other applicable guidelines or requirements as may be designated or approved by the DOE. 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 DOE would be required to establish a procedure for determining whether an Internet website or web service complies with the WCAG guidelines. 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 an Internet website or web service after the effective date of the bill, the school would be required to receive a certification of compliance. Under the bill, an Internet website or web service established by a public school after the effective date of the bill would be permitted to operate while pending certification. The bill also requires a public school to certify or recertify 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."

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 or any other applicable guidelines or requirements that may be designated by the DOE under the bill. The OLS notes that provisions of the federal Americans with Disabilities Act and the State "Law Against Discrimination" 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 or a standard designated by the DOE.

Lastly, the OLS finds that the bill would likely result in increased costs to the DOE, which is newly tasked with issuing certificates of compliance to public schools attesting to the schools' adherence to the accessibility standards laid out in the bill. The department will likely incur additional staffing costs to ensure each public school's compliance with the web accessibility standards.

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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.).