

§ 84.85 Exceptions.

The requirements of § 84.84 do not apply to the following:

- (a) *Archived web content.* Archived web content as defined in § 84.10.
- (b) *Preexisting conventional electronic documents.* Conventional electronic documents that are available as part of a recipient's web content or mobile apps before the date the recipient is required to comply with § 84.84, unless such documents are currently used to apply for, gain access to, or participate in the recipient's programs or activities.
- (c) *Content posted by a third party.* Content posted by a third party, unless the third party is posting due to contractual, licensing, or other arrangements with the recipient.
- (d) *Individualized, password-protected documents or otherwise secured conventional electronic documents.* Conventional electronic documents that are:
  - (1) About a specific individual, their property, or their account; and
  - (2) Password-protected or otherwise secured.
- (e) *Preexisting social media posts.* A recipient's social media posts that were posted before the date the recipient is required to comply with § 84.84.