

## Update to Faculty Senate Digital Accessibility Questions (November 6, 2025)

Question: What about materials that fall under the definition of 'archived web content?'

Original Response:

Response (Ken Kundell): Based on what I heard at the UMS Accessibility Spring meeting, anything that is (not private) publicly available must be accessible. Note: In the context of old meeting minutes, I suggest moving inaccessible/non-reviewed material off-line and posting a statement like "available by request". When material is requested, it should be accessible. Need to check with legal but you may be able to provide a disclaimer like "only available in original form".

New Information from AG's Office (January 23, 2026)

"Archived web content: this exception applies the same criteria as described in our earlier memorandum. These are (1) the content is maintained exclusively for reference, research, or recordkeeping; (2) the content is not altered or updated after the date of archiving; and (3) the content is organized and stored in a dedicated area or areas clearly identified as being archived. The final rule further clarifies that for the exception to apply, the content must have been created before the compliance deadline OR must reproduce physical media (paper documents, audiotapes) that themselves were created before the compliance deadline."

Updated Response (Ken Kundell): With this revised advice from the AG's office, we will separate material that qualifies into a clearly noted "Archive" area. For example, the way the Faculty Senate Agendas and Minutes page presents current and archived prior years. We are seeking clarification from the AG's office as to the exact date to use (April 2024 or 2026) for determining if material falls under this exception.