

Definitions

The following terms are used throughout this handbook.

- a. Acceptable Performance. A PHA has satisfactorily met a specific civil rights-related program requirement.
- b. Action Plan. LIPH Program: A document developed by the PHA specifying the actions to be taken, including timetables, to correct deficiencies identified as a result of a review.
- c. Administrative Plan. Section 8 Program: The implementation of a plan which not only describes the methods for computing tenant rents and other program requirements but also describes the PHA's policies and procedures for performing outreach to all eligible families and the selection process for families chosen to participate in HUD's Section 8 program.
- d. Areas of Minority Concentration. An area where the proportion of minority residents substantially exceeds, or, as a result of new construction, would substantially exceed the proportion of minority residents in the jurisdiction/site as a whole.
- e. Civil Rights-Related Program Requirements. Any specific civil rights-related program requirements which are established by program statutes, program regulations, and/or program handbooks.
- f. Full Program Monitoring Review. An evaluation of the PHA's performance in meeting all applicable areas of review (see Chapter 4).
- g. Limited Program Monitoring Review. A review of less than all applicable areas of a PHA's operations. In most instances, because of the complexity, the size of the PHA or the limited time available for monitoring, it is not feasible to undertake full program monitoring, and thus a limited Program Monitoring Review is conducted. The primary focus of the limited review is to examine the PHA's recordkeeping system and to collect civil rights-related data.
- h. Location. A "site", which may have more than one project, and/or individual dwelling units in a scattered

site project, which may be grouped and identified as one location if they are within a block of each other.

- i. Monitoring Conclusion. The determination, either positive or negative, reached as a result of monitoring regarding PHA performance.
- j. Monitoring Concern. A performance problem not rising to the level of a finding. An FHEO monitoring concern identifies:
 - (1) issues which involve the need for management, administrative, or program improvement not based upon a civil rights-related program requirement; and/or
 - (2) evidence which suggest that certain persons, because of their race, color, sex, religion, ethnicity, age, handicap or familial status, are being treated differently from other persons, are being denied benefits or services, or otherwise appear to be subjected to discrimination.

In the case of "2" above, where there is statistical or other evidence of possible discrimination (i.e., possible violations of Title VI, FFHA, Section 504 or other applicable civil rights laws and executive orders), are such issues brought to the attention of the PHA which is provided an opportunity for a response? If the issues cannot be resolved or explained, FHEO FOD/POD shall refer the matter to the appropriate FHEO Regional Office for possible follow-up action, including a compliance review.

- k. Monitoring Finding. A conclusion identifying failure by the PHA to meet civil rights-related program requirements, for which sanctions or other corrective actions shall be imposed.
- l. Public Housing Agency (PHA). Any State, county, municipal or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of housing for low-income families.

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- m. Site. Any common geographic area undivided by natural or manmade barriers (such as rivers, highways, railroads or major obstructions) that block or impede pedestrian traffic.
- n. Site Identification Code. This code is a two-letter ID

assigned sequentially to each project site.

- o. Accessible. For a facility or portion of a facility other than an individual dwelling unit, means that when designed, constructed, or altered, it can be approached, entered, and used by individuals with physical handicaps.

For an individual dwelling unit, means that the unit is on an accessible route and when designed, constructed, altered or adapted can be approached, entered and used by individuals with physical handicaps.

- p. Adaptability. The ability of certain elements of a dwelling unit, such as kitchen counters, sinks, and grab bars to be added, raised, lowered, or otherwise altered to accommodate the needs of persons with different types or varying degrees of disability.
- q. Auxiliary aids. Services or devices that allow persons with deficiencies in sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of any programs or activities receiving Federal financial assistance.
- r. Program or activity. This term refers to all the operations of:
 - o Any state or local government entity that receives or distributes Federal financial assistance;
 - o Any educational entity that receives Federal assistance;
 - o An entire corporation or other organization which, as a whole, receives assistance, or which is principally engaged in providing education, health care, housing, social services, or parks and recreation;

- o The entire geographically separate facility of other organizations receiving Federal financial assistance.
- s. Recipient. The term "recipient" refers to public or private organizations or instrumentalities charged with administering benefits provided by a federally assisted program.

The ultimate beneficiaries of federally assisted programs, whether individuals or organizations, are not considered recipients for the purposes of this handbook.

- t. Qualified individual with handicaps. This term includes:
 - o Individuals who, with reasonable accommodation, can perform the essential functions of a job;
 - o Persons who meet the essential eligibility requirements of a program and whose participation does not require a fundamental alteration in the nature of the program.
- u. To the maximum extent feasible. Recipients must take any action to accommodate individuals with disabilities unless the action poses an undue financial and administrative burden.
- v. Undue financial and administrative burden. Undue burden is determined by taking into account the size and budget of the program, the type of the recipient's operation, and the nature of the accommodation needed.
- w. Most integrated setting appropriate. Programs or services for individuals with handicaps should not be unduly segregated.
- x. Equally effective. Programs or services are not required to provide identical results, but must provide equal opportunity to obtain the same result, gain the same benefit, or reach the same level of achievement.
- y. Familial status. This term refers to families with children under 18 or with a pregnant female in the household.