

What is the difference between concluding that a State's procedures are consistent with IDEA versus concluding they are not inconsistent with IDEA?

Answer: Ok so what do we mean by a State's procedures are not inconsistent with IDEA? In some instances, a State may have a policy, practice or procedures that, although it differs from an IDEA regulation it is not inconsistent, fundamentally with IDEA. In many cases IDEA is silent in relation to an established policy or regulation, and if the State's policy or regulation does not impact or limit an individuals or parents' rights related to IDEA, would be acceptable in most cases.

compliance with IDEA

if the state's procedures exceed IDEA

Consistent aligns perfectly

Meets requirements or not

If both can be true at the same time, they are not inconsistent

consistent = in full compliance; not inconsistent = not in full compliance

well documented

Nothing wrong specifically but may need improvement.

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compliance with IDEA

compliance with implies that all is well. not inconsistent means there may be something to review.

Are the activities are within the monitoring authority as written in IDEA

policies and procedures are consistent

If evidence of implementation is seen

Inconsistent may not cover all aspects or be incomplete

contradict the language in IDEA

State and program policy procedures consistent with IDEA

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"Not inconsistent" implies something is not quite right but maybe not a tangible difference.

Minimally meets vs. demonstrates clear efforts

Consistent is including all the necessary components to ensure implementation of the IDEA

If the state defines a statement made by IDEA such defining a timeline not identified specifically by IDEA

Consistent: aligned w IDEA, inconsistent: not aligned — not necessarily compliant

Best practice and manual practice not consistent

not inconsistent with IDEA- not expressly prohibited, but perhaps less than best practices

Not inconsistent means what it says, yet may not be the most compliant

What is the difference between concluding that a State's procedures are consistent with IDEA versus concluding they are not inconsistent with IDEA?

Are they in compliance with IDEA? If so, consistent.

Meet requirements but in area with flexibility the state may define differently

Might not be called out by IDEA but still meets the spirit.

Monitoring practices that support the intent and overall purpose of IDEA regulations vs conflicting practices that inhibit the access to appropriate FAPE and educational rights.