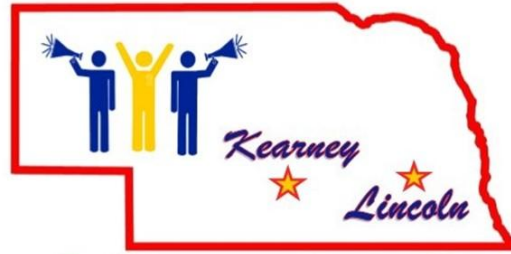


Down Syndrome Advocates in *Action*



Common IEP Red Flags Every Parent Should Know

And How DSAANE Can Help Families

At Down Syndrome Advocates in Action Nebraska (DSAANE), we work with **many families across the state who have children with Down syndrome**. As we review IEPs and talk with parents, we've started to see **clear patterns emerge**—including **common phrases and explanations schools use** that often raise concerns under IDEA (the Individuals with Disabilities Education Act).

We're sharing these red flags not to create conflict, but to **make families aware** and to **give you the language you need to confidently advocate** for the supports, services, and inclusion your child needs to make meaningful progress.

If you recognize any of these statements, it may be time to ask follow-up questions—or [request an IEP review](#).

▶ “Your child isn’t ready for that yet.”

This phrase is often used to delay academics, inclusion, or higher expectations.

Under IDEA, IEP goals must be **appropriately ambitious** and focused on progress—not just maintenance—regardless of disability.

Families hear:

- “We focus on life skills first.”
- “That’s more appropriate later.”
- “Let’s revisit this next year.”

👉 Ask: *What data shows my child cannot access this right now with appropriate supports?*

▶ **“We don’t have data, but we know them well.”**

IEPs must be based on **current, measurable data**, especially in the **Present Levels of Academic and Functional Performance (PLAAFP)**.

Without clear baseline data, progress cannot be meaningfully measured.

Families hear:

- “Teacher observation is enough.”
- “Formal data isn’t necessary at this level.”

*Always request **baseline data** be added to each goal so they can be measurable.

▶ **“They’re doing fine, we’ll work on that informally—no need to put it in the IEP.”**

If a skill impacts your child’s ability to access or progress in the general education curriculum, it **should be addressed in the IEP**. If it matters, **it belongs in the IEP**.

Families hear:

- “That’s not an area of concern right now.”
- “We do that for all students.”
- “They’re meeting expectations for this program.”

* “Fine” is not a measurable standard under IDEA. Unwritten supports can disappear with staff or schedule changes and are not enforceable. Ask for things to be listed in the IEP, because it is a legal document. **If it’s not written, it’s not guaranteed.**

▶ **“We don’t have the staff for that.”** (This is one of the **most common red flags Families report.**)

While staffing shortages are real, **IDEA does not allow schools to deny or reduce services based on staffing, funding, or convenience**. Services must be determined by **individual student need**.

Families hear:

- “We don’t have a para available.”
- “We can’t support that level of inclusion right now.”
- “We’re short on special education staff.”

* If a support is necessary for your child to make meaningful progress, the district is responsible for determining **how** to provide it.

▶ **“We don’t do that here.”**

District or building practices cannot override IDEA.

IEPs must be **individualized**, even when that means doing something the school hasn’t done before.

Families hear:

- “That’s not how our district operates.”
- “We’ve never written an IEP like that.”

*IDEA is based on individual need—not district preference. Ask “Can you help me understand how that statement aligns with IDEA and Nebraska Rule 51’s requirement that my child’s IEP be individualized?”

▶ **“Inclusion didn’t work before.”**

IDEA requires students to be educated in the **Least Restrictive Environment (LRE)** with appropriate supports.

If inclusion was challenging, the focus should be on **what supports were missing**, not automatic removal.

Families hear:

- “They were too distracted or overwhelmed.”
- “The pace was too fast.”
- “They were not able to keep up with their peers”

Would a student be expected to make comparable progress in a segregated setting? In most cases, no—because access to grade-level curriculum is significantly reduced. Research consistently shows that students with Down syndrome, demonstrate stronger academic and functional outcomes when they have access to grade-level content with appropriate supports, rather than receiving instruction limited to life-skills only.

Under IDEA, removal from the general education environment must be a **last resort** and should only occur after data shows that a student is **not making meaningful progress on IEP goals in the general education setting *with supports***—not simply because they learn differently or require accommodations.

▶ **“We’ll wait and see.”**

Waiting is not an intervention.

If a child is not making meaningful progress, the IEP team must **adjust goals, services, or supports**.

Families hear:

- “Let’s give it another quarter.”
- “We’ll see how this semester goes.”

*Delay can mean lost instructional opportunity.

▶ **“This is the standard IEP format or language we use.”**

Templates are allowed. **Cookie-cutter IEPs are not.**

Identical goals or vague language are signs the plan may not be truly individualized.

Families hear:

- “All students at this level have similar goals.”
- “This is our program model.”
- The district recommends this language for all students.

Some Nebraska districts use **identical service delivery language** in all IEPs. It often sounds positive and flexible, but families should read it carefully. Here is an example:

“Student will receive specially designed instruction through a variety of service delivery models based on performance and needs. In response to student learning, the service delivery models will flexibly include: co-teaching in the general education classroom, individual or small group instruction outside of the general education classroom and consultation between special education teachers, Speech-Language Pathologist and general education teachers. Speech/Language Therapy services may be provided by a Speech-Language Pathologist Assistant under the supervision of a certified Speech-Language Pathologist.”

While this language is often presented as being responsive and student-centered, it is **very broad and non-specific**. When service delivery is written this way, it can allow the school to **change where and how services are provided without clear notice or agreement**, even when families believe they agreed to something more specific. Make sure placement is clearly documented.

*Your child’s IEP should reflect **your child**, every year and provide specific detailed information.

Two Important Advocacy Reminders for Families

If you don't ask in writing, you didn't ask.

Verbal conversations are helpful—but **written requests matter**. Put requests for evaluations, services, supports, or changes **in writing** (email is fine). Written requests create documentation and timelines.

If the school denies a request, ask for Prior Written Notice

If a school **refuses** a request—whether for services, evaluations, supports, or placement—you have the right to request **Prior Written Notice (PWN)**.

Prior Written Notice must explain:

- What the school is refusing
- Why the decision was made
- What data was used
- What alternatives were considered

Asking for PWN often prompts clearer explanations and more thoughtful decision-making.

How DSAANE Can Help

Down Syndrome Advocates in Action Nebraska (DSAANE) offers **IEP reviews for families** to help identify:

- Missing or weak present levels
- Goals that are not measurable or appropriately ambitious
- Inadequate services or supports
- Inclusion and LRE concerns
- IDEA compliance issues

Our goal is not conflict—it's **clarity, collaboration, and empowerment**, so families have the tools and language they need to advocate effectively. IDEA and Nebraska Rule 51 provide important protections for students, but those protections work best when families understand them and feel empowered to use them. When procedural safeguards are not exercised, IEP teams may not fully examine alternatives or supports, which can impact whether a student is receiving FAPE.

If something in your child's IEP doesn't sit right, trust your instincts. Ask for clarification.

DSAANE is here to help you review, understand, and prepare for informed IEP conversations.

Use [this link](#) to request an IEP review.

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