

Running Title: DIFFERENTIATEING INSTRUCTION

Differentiating Instruction for All Students

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Abstract

Whether inclusive education is a social justice issue or a politics of recognition issue remains to be seen (Rice, 2006) but there are excellent examples of how Multilevel Curricula in a classroom can lead to an enriched learning environment for all students (Giangreco, 2007). This paper starts with definitions of inclusion and exclusion based on Social Identity Theory (SIT) and explores how the lessons learned in SIT research can produce a genuine inclusive environment. From current thinking of SIT research, this paper will then define the author's conclusions and philosophies on inclusion, differentiating instruction, the instructional strategies of Positive Behavior Support Programs, Tutoring, and Multilevel Curricula. Last, it will apply these practices to the Reading/Language Arts Standard.1.0 for Grade 11 and 12, to find the etymology of the term 'militia' as it is used in the U.S. Constitution.

Differentiating Instruction for All Students

The general goal of inclusive instruction, according to Rice (2006) is “toward providing more opportunities for students with and without disabilities to spend time together”.

When the definition includes how schools must adapt, it “involves a process ...with the aim of ensuring that all pupils can have access to the whole range of educational and social opportunities offered by the schools” (Rice, 2006). If inclusive education is an issue of social justice, then it concentrates on “equity, access, and opportunity” whereas if the concept transcends to social justice, then it is essential to human dignity (Rice, 2006).

Inclusive educational opportunities, according to Giangreco (2007) can be extended by first asking the question “whether the student’s needs can be appropriately addressed in the general education setting”. This is consistent with the *Individuals with Disabilities Improvement Act of 2004* which “presumes that the first placement option a school system must consider for each student with a disability...is the regular classroom” (Giangreco, 2007).

It can be concluded, from these definitions, that *differentiated instruction is a means by which students with disabilities and students without can be successfully educated in the same classroom*. A warning from Conderman and Pederson (2007) differentiates between a reliance on tutoring, which is not inclusive, with differentiated instruction. An interesting concept, put forth by Giangreco (2007) is the opportunity for curriculum *overlapping* where students in the same classroom may participate in the same exercise but be responsible for different components. An example from this article was integration of a boy with prekindergarten abilities in all academic areas into a 5th grade

class. The new student was responsible for fewer and simpler outcomes from the same exercise.

It is helpful, when considering the dynamics of inclusion and exclusion to look to Social Identity Theory (SIT) for guidance. SIT can be useful to predict the possibility of inclusion, and also predict the outcomes if inclusion is not achieved. It is a very useful tool when considering differentiated instruction.

McCabe and Miller (2004) describe the central role of language in social competence. Children with Speech / Language Impairment (SLI) “appear particularly susceptible to exhibiting behavior perceived as socially incompetent”. This does not bode well for the child with SLI, in terms of inclusivity, without careful introduction of the student by the teacher. This is central to the comorbidity seen between SLI and behavior disorders (McCabe and Miller, 2004).

What needs to happen is that the student with a disability can be identified as a member of an ingroup (Stahl, Vermunt, and Ellemers, 2005). If the child is perceived in the outgroup, then serious externalizing behaviors (disobedient, destructive, and aggressive acts) or internalizing behaviors (withdrawn, depressed, antisocial acts) can often be the result (Batum, and Yagmurlu, 2007). Enhanced social distinctiveness leads to in-group identification, and this enhanced self leads to presentation to the in-group for acceptance (Rutland, *et. al.* 2006)

Herein lies the dilemma. The student with the lowest chance of making a favorable impression on the in-group (the class) the student with a disability, has the greatest chance of being confined to the out-group. How does one lower the barrier to in-group acceptance and allow this student to successfully integrate into the group?

Lane, *et. al.* (2007) has an intriguing way to reduce the serious internalizing and externalizing behaviors of at risk students. It is a method used in Primary Schools for several years but they extend the findings to Middle and High School students. It is a series of Schoolwide Positive Behavior Support Programs (SPBSP). Methods directed to older students include ticket programs where an accumulation of tickets can lead to high-value rewards like tickets to movies and sporting events. Their work showed that for students with internalized behaviors the improvement was very apparent, but less so for students with externalized behavior issues. However, in the long run, SPBSP does build communities among students by reducing the behaviors that lead to the appearance of social incompetence.

These programs require the cooperation of Administration, including the sharing of leadership (Rice, 2006).

Discussion

My Philosophy of inclusion is straightforward. There is no room for outcasts in a community of learners. One of the highest priorities in my classroom will be the rewarding of social inclusion, whether through SPBSPs or another means. The fact that it is Federal Law that as many students as possible should be taught in the general education classroom is secondary. It is in the best interest of *all* students.

Differentiated Instruction (and Overlapping Curricula) are essential for a diverse learning community. In a High School setting, the challenges are more difficult, due to the considerations listed in Rice (2006): teachers are too focused on content and less on pedagogy; there are more complex objectives and fewer basic skills; the gaps between skill levels and course demands are greater in High Schools; High Schools tend to be

more teacher-centered; and High Schools are more accountable (historically) to outside agencies such as businesses and Universities. Particular attention has to be paid to reducing these impediments.

The instructional strategies I will use begin with my selection of work groups, where I can insure that each group is heterogeneous for academic abilities, racial and social distinctions, and disabilities. This will not be too difficult for work groups of 5-7 students. SPBSPs will be handed out to groups based on how well members meet their Differentiated / Overlapped objectives, so ALL members can contribute to the success of the in-group.

Specific Example

Grades Eleven & Twelve

English-language Arts Content Standards.

Reading

1.0 Word Analysis, Fluency, and Systematic Vocabulary Development

Students apply their knowledge of word origins to determine the meaning of new words encountered in reading materials and use those words accurately.

Vocabulary and Concept Development

- 1.1 Trace the etymology of significant terms used in political science and history.
- 1.2 Apply knowledge of Greek, Latin, and Anglo-Saxon roots and affixes to draw inferences concerning the meaning of scientific and mathematical terminology.
- 1.3 Discern the meaning of analogies encountered, analyzing specific comparisons as well as relationships and inferences.

The term I have chosen has social and political implications because it is a word found in the second Amendment to the U. S. Constitution: MILITIA.

In the Appendix I have three definitions of different difficulties: one from the Oxford English Dictionary (OED)(only up to 1780) which is the most difficult; one from the U.S. Government Printing Office (<http://www.gpoaccess.gov/constitution/html/amdt2.html>) ; and one from Princeton University's Wordnet (<http://wordnet.princeton.edu/perl/webwn?s=militia>).

For the etymology section, the advanced students would have to identify the Anglo-Saxon root and influence on the French Language. For the differentiated group, they would have to determine how the framers of the Constitution interpreted the word 'militia' based on current usage at that time. For the overlapping group, they just have to understand how a militia differs from a military force.

For the section on inferences, the advanced students would describe the contextual definitions listed in the OED and how it changed in various years. The differentiated group would have to identify how the historical references support or do not support the Printing Office's definition, and the overlapping group would have to explain how the two definitions are different.

For analysis of analogies, the advanced group would find them in the OED, the differentiated group in the Government text, and the overlapping group would find analogies and definitions in dictionaries or online.

Note: I used advanced, differentiated, and overlapping as not to assume students with disabilities or English Language Learners would necessarily be in a particular group.

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<http://www.swccd.edu/~library/Lv11/index.asp?L1=12>

Appendix

Grades Eleven & Twelve

English-language Arts Content Standards.

Reading

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Militia – Oxford English Dictionary

†I. Military affairs.

1. a. A system of military discipline, organization, and tactics; a manner or means of conducting warfare; the art of warfare. Also *fig. Obs.*

1590 [J. SMYTHE](#) *Certain Disc. Weapons* Ded. 3 Diuers Nations that haue had notable Milicias and exercises Militarie in great perfection.

b. Military service; warfare. *Obs.*

a1635 [R. NAUNTON](#) *Fragmenta Regalia* (1870) 48 He first exposed himself to the Land service of Ireland, a Militia which then did not yeeld him food and rayment.

c. Weapons; instruments of war. *Obs.*

1656 [EARL OF MONMOUTH](#) tr. T. Boccalini *Advts. from Parnassus* II. vi. 213 [Princes] should wear the powerful Militia [It. *arme potentissima*] of boundless Empire..by their side, for the security of such as [are] good, but..should never make use of it..[to shield] such as were guilty.

2. The control and administration of the armed forces of a country or region. *Obs.*

1622 [BACON](#) *Advt. Holy Warre in Misc. Wks.* (1629) 129 Now let me put a Feigned Case..of a Land of Amazons, where the whole Gouernment, Publike and Priuate, yea the Militia it Selfe, was in the hands of Women.

II. A military force.

3. a. Originally: †the body of soldiers in the service of a sovereign or a state (*obs.*). Subsequently: a military force raised from the civilian population of a country or region, esp. to supplement a regular army in an emergency, freq. as distinguished from mercenaries or professional soldiers. Occas. with *pl.* concord.

1590 [J. SMYTHE](#) *Certain Disc. Weapons* Ded. 3 Any forraine Nation or Nations, that haue had a puissant and formed Milicia. **1625** [BACON](#) *Ess.* (new ed.) 171 Let any Prince or State thinke soberly of his Forces, except his Militia of Natiues, be of good and Valiant Soldiers. **1625** [BACON](#) *Greatness of Kingdoms in Ess.* (1862) 481 [The Spaniards are accustomed] to employ, almost indifferently, all Nations, in their Militia of ordinary Soldiers. **1665** *Surv. Affaires Netherlands* 93 The High and Mighty draw in their Money,..raise Fortifications,..Rendezvouz Militiaes, and withdraw 200 Families at least to Hamburgh. **1687** [W. PETTY](#) *Polit. Anat. Ireland* (1691) 42 There be in Ireland, as elsewhere, two Militias; one are the Justices of Peace, their Militia of High and Petty Constables; also the Sheriffs Militia of his Servants and Bailiffs, and *Posse Comitatus*... There is also a Protestant Militia, of about 24000 Men. **1696** [E. PHILLIPS](#) *New World of Words* (ed. 5), *Militia*, the People and Inhabitants of a Kingdom trained up in War for the Defence of it. **1706** *Phillips's New World of Words* (ed. 6), *Militia*, a certain Number of the Inhabitants of the City and Country formed into Regular Bodies, and train'd up in the Art of War, for the Defence and Security of the Kingdom. **1776** [A. SMITH](#) *Inq. Wealth of Nations* II. v. i. 300 It [*sc.* the state] may..oblige either all the citizens of the military age, or a certain number of them, to join in some measure the trade of a soldier to whatever other trade or profession they may happen to carry on... Its military force is [then] said to consist in a militia. **1777** [W. HEATH](#) in *J. Sparks Corr. Amer. Revol.* (1853) I. 329 Our troops are all militia, and, although perhaps as good as any militia, yet they are not disciplined.

b. fig. An organized body of people comparable to a military force.

1599 [E. SANDYS](#) *Europæ Speculum* (1632) 157 Fourty hundred sure Catholikes in England alone, with foure hundred English Romane Priests to mainetaine that Militia. **1631** [B. JONSON](#) *New Inne* Argt. II. iv. 31 He has form'd a fine militia for the Inne too. **1631** [B. JONSON](#) *New Inne* II. (Argt.), The Fly of the Inne is discouer'd.., with the Militia of the house, below the stayres, in the Drawer, Tapster, Chamberlaine, and Hostler, inferiour officers. **1714** [POPE](#) *Rape of Lock* (new ed.) I. 3 Know then, unnumber'd Spirits round thee fly, The light Militia of the lower Sky.

†**c.** Any branch, department, or division of the armed forces. *Obs.*

1655 H. L'ESTRANGE *Reign King Charles* 19 Mighty preparation was made..for the reinforcing of Navall strength. Nor was the Land-Militia left unregarded

d. A paramilitary force motivated by religious or political ideology, *esp.* one that engages in rebel or terrorist activities in opposition to a regular army.

Originally, prob. in direct allusion to Spanish *milicia*; French *milice* also has this sense from 1937 onwards. Since the early 1990s in the U.S., the term has been applied to a number of right-wing groups opposed to gun control and distrustful of the federal government.

1928 *Daily Tel.* 10 Jan. 10/6 The members of the Fascist Militia..might understandably display any aggressive consciousness of their position and power.

e. The regular uniformed police force of the Soviet Union, the Russian Federation, and several other eastern European countries.

1935 S. WEBB & B. WEBB *Soviet Communism* ii. 130 The issue of those permits was entrusted to the militia, who were placed under the direction of the Ogpu for this purpose.

4. spec. The name of various military units and forces, raised locally (and usually for the purpose of local defence) from the civilian population of an area, and distinguished from professional standing armies as the latter developed. With *sing.* or *pl.* concord. In the *U.S.*: the body of able-bodied citizens eligible by law for military service. Now *hist.*

The term was originally used in England, *esp.* of the trained bands of London, and was adopted in the British colonies in North America from the 17th cent., and elsewhere, e.g. in Australia and New Zealand, by the 19th cent. The reconstitution of the U.S. militias as the National Guard was substantially complete by the beginning of the 20th cent., and elsewhere the term had lapsed, being often replaced by a variant of 'territorial forces' by 1945. It is still used unofficially in Canada, where it may have been reinforced by French *milice*.

1642 *Soveraigne Antid. prevent Civill Wars* 9 Commanders of the Militia in every County were elected..in a full Falkmoth.

WordNet – Princeton University

<http://wordnet.princeton.edu/perl/webwn?s=militia>

Noun

- **S:** (n) **militia**, [reserves](#) (civilians trained as soldiers but not part of the regular army)
- **S:** (n) **militia** (the entire body of physically fit civilians eligible by law for military service) "*their troops were untrained militia*"; "*Congress shall have power to provide for calling forth the militia*"--*United States Constitution*



The Constitution

of the

United States of America

<http://www.gpoaccess.gov/constitution/html/amdt2.html>

Second Amendment--Bearing Arms

[[Page 1193]]

BEARING ARMS

SECOND AMENDMENT

A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.

In spite of extensive recent discussion and much legislative action with respect to regulation of the purchase, possession, and transportation of firearms, as well as proposals to substantially curtail ownership of firearms, there is no definitive resolution by the courts of just what right the Second Amendment protects. The opposing theories, perhaps oversimplified, are an ``individual rights'' thesis whereby individuals are protected in ownership, possession, and transportation, and a ``states' rights'' thesis whereby it is said the purpose of the clause is to protect the States in their authority to maintain formal, organized militia units.\1\ Whatever the Amendment may mean, it is a bar only to federal action, not extending to state\2\ or private\3\ restraints. The Supreme Court has given effect to the dependent clause of the Amendment in the only case in which it has tested a congressional enactment against the constitutional prohibition, seeming to affirm individual protection but only in the context of the maintenance of a militia or other such public force.

\1\A sampling of the diverse literature in which the same historical, linguistic, and case law background is the basis for

strikingly different conclusions is: Staff of Subcom. on the Constitution, Senate Committee on the Judiciary, 97th Congress, 2d Sess., *The Right to Keep and Bear Arms* (Comm. Print 1982); Don B. Kates, *Handgun Prohibition and the Original Meaning of the Second Amendment* (1984); *Gun Control and the Constitution: Sources and Explorations on the Second Amendment* (Robert J. Cottrol, ed. 1993); Stephen P. Halbrook, *That Every Man Be Armed: The Evolution of a Constitutional Right* (1984); Symposium, *Gun Control*, 49 *Law & Contemp. Probs.* 1 (1986); Sanford Levinson, *The Embarrassing Second Amendment*, 99 *Yale L.J.* 637 (1989).
 \2\Presser v. Illinois, 116 U.S. 252, 265 (1886). See also *Miller v. Texas*, 153 U.S. 535 (1894); *Robertson v. Baldwin*, 165 U.S. 275, 281-282 (1897). The non-application of the Second Amendment to the States is good law today. *Quilici v. Village of Morton Grove*, 695 F. 2d 261 (7th Cir. 1982), cert. denied, 464 U.S. 863 (1983).
 \3\United States v. Cruikshank, 92 U.S. 542 (1875).

 In *United States v. Miller*,\4\ the Court sustained a statute requiring registration under the National Firearms Act of sawed-off

[[Page 1194]]

shotguns. After reciting the original provisions of the Constitution dealing with the militia, the Court observed that ``[w]ith obvious purpose to assure the continuation and render possible the effectiveness of such forces the declaration and guarantee of the Second Amendment were made. It must be interpreted with that end in view.''\5\ The significance of the militia, the Court continued, was that it was composed of ``civilians primarily, soldiers on occasion.' ' It was upon this force that the States could rely for defense and securing of the laws, on a force that ``comprised all males physically capable of acting in concert for the common defense,' ' who, ``when called for service . . . were expected to appear bearing arms supplied by themselves and of the kind in common use at the time.' '\6\ Therefore, ``[i]n the absence of any evidence tending to show that possession or use of a `shotgun having a barrel of less than 18 inches in length' at this time has some reasonable relationship to the preservation or efficiency of a well-regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument. Certainly it is not within judicial notice that this weapon is any part of the ordinary military equipment or that its use could contribute to the common defense.' '\7\

\4\307 U.S. 174 (1939). The defendants had been released on the basis of the trial court determination that prosecution would violate the Second Amendment and no briefs or other appearances were filed on their behalf; the Court acted on the basis of the Government's representations.

\5\Id. at 178.

\6\Id. at 179.

\7\Id. at 178. In *Cases v. United States*, 131 F. 2d 916, 922 (1st Cir. 1942), cert. denied, 319 U.S. 770 (1943), the court, upholding a similar provision of the Federal Firearms Act, said: ``Apparently, then, under the Second Amendment, the federal government can limit the keeping and bearing of arms by a single individual as well as by a group of individuals, but it cannot prohibit the possession or use of any weapon which has any reasonable relationship to the preservation or efficiency of a well-regulated militia.'' See *Lewis v. United States*, 445 U.S. 55, 65 n.8 (1980) (dictum: Miller holds that the ``Second Amendment guarantees no right to keep and bear a firearm that does not have `some reasonable relationship to the preservation or efficiency of a well regulated militia'').

Since this decision, Congress has placed greater limitations on the receipt, possession, and transportation of firearms,\8\ and proposals for national registration or prohibition of firearms altogether have been made.\9\ At what point regulation or prohibition of what classes of firearms would conflict with the Amendment, if at all, the Miller case does little more than cast a faint degree of illumination toward an answer.

\8\Enacted measures include the Gun Control Act of 1968. 82 Stat. 226, 18 U.S.C. Sec. Sec. 921-928. The Supreme Court's dealings with these laws have all arisen in the context of prosecutions of persons purchasing or obtaining firearms in violation of a provisions against such conduct by convicted felons. *Lewis v. United States*, 445 U.S. 55 (1980); *Barrett v. United States*, 423 U.S. 212 (1976); *Scarborough v. United States*, 431 U.S. 563 (1977); *United States v. Bass*, 404 U.S. 336 (1971).

\9\E.g., National Commission on Reform of Federal Criminal Laws, Working Papers 1031-1058 (1970), and Final Report 246-247 (1971).