

## TEACHING ESSENTIALLY: EMERGENCIES, FLIGHT INSTRUCTION, AND THE LAW SCHOOL CLASSROOM

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I arrived home at 10pm on March 4, 2020, thankful that the craziest part of my year was over. A two-week long whirlwind trip included a visit to Vancouver Island to meet my one-week-old niece, time in Vancouver for Jessup Moot practice, travel to Toronto for the national Jessup competition, and a short hop to Ottawa for some meetings. The trip ended with a drive from Vancouver to Kamloops, travelling through the snow on the Coquihalla Highway beginning at 5am on March 4. I had to be back in time to teach my Sports Law class that afternoon, and to judge two first-year moots that night.

Those weeks were busy, but energizing. What was exhausting was the background noise of 2020. Wildfires in Australia, the threat of war with Iran, and of course, the novel coronavirus – COVID-19. One week later, on March 12, I texted a friend of mine who works in the European Commission, pleading “Can we just suspend 2020 for a few weeks? Like, the first day of 2020 was solid, but it’s just been a shitshow since. I think we all need a bit of a breather, and we’ll try again in May”<sup>2</sup>. The next day would be the last day of in-person classes at TRU Law for 2020.

Be careful what you wish for.

### Emergency Response – Lessons from Flying

In my pre-law life, I was a flight instructor with the Air Cadet Gliding Program. I was responsible for teaching students to fly the Schweizer 2-33A glider in less than six weeks.<sup>3</sup> Each flight lesson was preceded by a ground briefing by one of the flight instructors. The ground briefing was a place to discuss the theory of manoeuvres like turns, stall recovery, take-off, or landing. These briefings were vital, as there was no time for theoretical discussion in the glider. An average glider training flight lasted about 15 minutes. After accounting for take-off and landing, an instructor

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<sup>2</sup> Whatsapp Message, March 12, on file with author.

<sup>3</sup> My then Chief Flying Instructor said that the program was developed so well that we could teach a monkey to fly a glider, just maybe not in six weeks.

would have about 5–10 minutes to demonstrate the manoeuvre, and have the student perform the manoeuvre to the required standard. With each lesson, a new manoeuvre had to be mastered, leaving little room for review.

This approach requires instruction to be stripped to the essentials, using many shorthand phrases designed to stick with students. In particular, in an emergency, pilots are taught to “aviate, navigate, communicate”<sup>4</sup>. Fly the plane first. Then, focus on where you need to go. Finally, inform and call for help as necessary. Twenty years after receiving my gliding wings, this lesson came in useful as a law professor.

## Aviate

I imagine that many instructors were beset with apprehension and even fear as courses moved online — I was no different. Like entering into a spin in flight, the shift was sudden and jarring. Bearings were lost.

Mr. Rogers famously suggested that people “look for the helpers” in times of crisis.<sup>5</sup> And the helpers arrived — *en masse*. Well-meaning e-mails flooded my inbox. Advice from tecno-savvy faculty members. Concerns from those less used to technology. Course shells created in learning management platforms. Courses to make one a better online teacher. Workshops. Office hours. Discussion forums. Task forces. Self-reflection. Commiseration. My own questions about technology persisted, prompted by well-meaning advice. What do I use? Zoom? BlueJeans? Teams? BigBlueButton? What approach is best? Discussion boards? Forums? Podcasts? Notes in Powerpoint? Blog posts? H5P? Wordpress? What concerns should I have about any given platform? Privacy? Academic integrity? Accessibility? Costs? Time zones? Engagement? Person caps? What’s my password for each of these? Do I need to buy a microphone? A headset? A 4k webcam? THE WORLD IS SPINNING!

Cue an e-mail from my amazing colleague Katie Sykes on March 26, 2020:

*Connect. Any way you can.*

<sup>4</sup>Air Cadet Gliding Program: How to Glide Manual (Department of National Defence, 2017), 1-4.

<sup>5</sup>For a critical analysis of this phrase, see Ian Bogost, “The Fetishization of Mr. Rogers’s ‘Look for the Helpers’” (Oct. 29, 2018), *The Atlantic*, online <<https://www.theatlantic.com/technology/archive/2018/10/look-for-the-helpers-mr-rogers-is-bad-for-adults/574210/>> [<https://perma.cc/DV2U-BUK4>].

It's simple, it doesn't take any technical expertise or special preparation, and I believe that it means an enormous amount to our students.

Everyone is lonely, and everyone is worried. Connection helps.<sup>6</sup>

Ok. Break the stall. Stop the rotation. Pull out of the spin.<sup>7</sup> In this case, deliver the last few lectures of the semester. Adjust final assignments as needed. Check in with students. And breathe.

## Navigate

Now that we are out of the immediate emergency of shifting online, instructors are faced with the task of navigating the next year. Navigation includes setting the course, identifying where the plane is at, and adjusting as required.<sup>8</sup> In the law school classroom, it is designing a good course, an approach which is technology-neutral.

Navigation today often uses tools such as GPS. However, pilots also use more traditional methods such as maps, or “pilotage” — navigating using physical landmarks.<sup>9</sup> Similarly, even the online teaching book *Small Teaching Online* begins with a discussion of principles of course design.<sup>10</sup> Teaching online will require instructors to plan their courses in advance more than we are accustomed to. Recorded and live lectures, assessments, and other teaching activities will require significant pre-planning and structure to adjust to an online environment. And instructors will need to more deliberately identify where their class is at, and adjusting the course with intentionality.

Discussions of online teaching that I have been part of eventually settle into questions of which technological platform, app, or microphone will miraculously solve all of our problems — preferably without forcing us to modify our courses or teaching approaches too much.<sup>11</sup> Technology

6 E-mail from Katie Sykes, March 26, 2020, on file with author. Katie also led a team of current TRU Law students and recent graduates in creating the COVAID app that enabled people to provide people answers about the Canada Emergency Response Benefit (CERB) and mortgage deferrals, amongst others. “Law Team Creates Blog and Apps for COVID-19 Assistance” (Apr. 22, 2020), *TRU Law*, online <<https://inside.tru.ca/2020/04/22/law-team-creates-app-for-covid-19-assistance/>> [<https://perma.cc/5RY9-V785>].

7 This is the recovery procedure from a spin in flight. Air Cadet Gliding Program, 6-4.

8 Royal Canadian Air Cadets Squadron Training: Level 3 (Department of National Defence, 1998) 10-10.

9 *Ibid* at 10-1.

10 Flower Darby & James M. Lang, *Small Teaching Online: Applying Learning Science in Online Classrooms* (San Francisco: Jossey-Bass, 2019) at 7-10.

11 And ideally helping me reverse the “Quarantine 15” weight gain brought on by stress eating absurd amounts of Easter candy throughout April and May.

matters, and we will need to learn to do things like record videos or create online quizzes.<sup>12</sup> But technology is also varied and complicated. And the more I learn about the various technological platforms, the less I'm convinced that there is a "correct" answer out there, and the less concerned I become about any particular technology to get me to where I need to go.

A focus on course design over technology does not mean that I am a luddite. As an early millennial, I'm much closer to being a "digital native" than my faculty peers. I spent high school transitioning from dial-up internet to broadband, and programs like Napster and ICQ were all the rage.<sup>13</sup> When I started law school in September 2006, Facebook still required a college e-mail address to sign-up. If I am overwhelmed by technology, how must everyone else be feeling?

## Communicate

After we plot the course, we must communicate with students. Just as a pilot informs air traffic control where they are situated, where they are going, and why, we must do the same with our students, and with each other. Pilots must also communicate efficiently, without overwhelming air traffic control or other pilots with too much extraneous information. Similarly, law professors must avoid overwhelming our students with too much substantive and administrative information. Actions such as regular meeting times, scheduled appearances on a discussion board, e-mail updates and virtual "office hours", if used with intent, keep the lines of communication open, hopefully without overwhelming either side.

## Preparing the Approach

In 1999, at the same time I was adding friends to ICQ<sup>14</sup>, I started teaching with the Royal Canadian Air Cadets.<sup>15</sup> I was an Air Cadet for seven years, and an officer for three more years. In their fifth year, senior Air Cadets

12 Thank you to Thompson Rivers University's amazing Centre for Excellence in Learning and Teaching, and Learning Technology and Innovations team for running courses that address these issues! "Concrete Teaching Support During Unsettled Times" (May 20, 2020), *Thompson Rivers University Newsroom*, online <<https://inside.tru.ca/2020/05/20/concrete-teaching-support-during-unsettled-times/>> [<https://perma.cc/8FV5-BB23>].

13 ICQ is one of the first instant messaging services. While writing this, I found that ICQ is still around, and I had to go have a sit-down to process this fact.

14 I will neither confirm nor deny the use of Napster.

15 For those unfamiliar, the cadet movement is a youth organization for those aged 12–19. The goals of the cadet movement are to "develop in youth the attributes of good citizenship and leadership; promote physical fitness; and stimulate the interest of youth in the sea, land, and air activities of the Canadian Forces." Royal Canadian Air Cadets Squadron Training: Level 1 (Department of National Defence, 1998) 2-5.

act as instructors to junior cadets on a regular basis. By the time I was seventeen, I was usually teaching one or two 35-minute classes each week on topics ranging from foot drill to citizenship, leadership, or flight-related topics. Before I was legally allowed to drink, I was teaching cadets how to fly aircraft in my role as a gliding instructor.<sup>16</sup>

The constraints of online teaching compel us to re-consider our approach to teaching. In contrast to academia, instruction in Air Cadets is highly-regimented, and academic freedom is not the order of the day. Instructors are generally given lesson plan outlines with the main teaching points to be covered. Yet, even in that environment, instructors are encouraged to be creative in delivering their classes.

Like many law school instructors who engage in experiential learning, air cadet instructors are encouraged to “allow as many cadets as possible to participate in practical exercises,” and to “see whether certain parts of the lesson could be held in real situations”<sup>17</sup>. Freed from the shackles of the 90-minute classroom lecture (willingly or otherwise), we now have an opportunity to re-consider how we communicate material and facilitate learning.

### Sticking the Landing

My background has given me (perhaps undeserved) confidence in my ability to teach online. Surely, if an 18-year-old me can communicate how to recover from a stall to a 16-year-old student pilot while 2,500 feet in the air, today’s me can communicate the basics of duty in tort law in an online class of 1Ls.

Any emergency, whether in flying or through a pandemic, people finally focus on what is essential.<sup>18</sup> Pilots are trained to “aviate, navigate, communicate”. During COVID-19, society has been forced to examine what is “essential”. At a societal level, there is agreement that hospitals and grocery stores are “essential”. But differences of opinion exist about

<sup>16</sup> This made for awkward times at the Officers’ Mess.

<sup>17</sup> Royal Canadian Air Cadets Squadron Training: Level 3 (Department of National Defence, 1998) 8-4, 8-5.

<sup>18</sup> Greg McKeown defines “essentialism” in contrast to non-essentialism. Non-essentialists believe that everything is important, that everything *has* to be done, and that they *can* do everything. Essentialists focus on only a few things that really matter, recognize that they can choose what needs to be done, and that they cannot do everything. *Essentialism: The Disciplined Pursuit of Less* (New York: Currency, 2014) at 32.

personal services, religious institutions, and professional sports.<sup>19</sup> At a personal level, many have focused on essential activities such as cooking more in lieu of eating out, calling family and friends in lieu of text messages, or going on walks in lieu of going to the gym.

If we focus on what is essential in teaching, it matters far less if we teach in a live classroom, online, or in a glider. What is most important is ensuring that students leave with the “enduring understanding” that we wish to impart.<sup>20</sup> I imagine few of us remember the precise lectures in the fourth week of first-year torts. Instead, what we remember are broader experiences such as the kindness or professionalism of a professor, the overall theme of a course, or the feeling of accomplishment when we understood the material. I often liken teaching or oral advocacy to a live concert. We can’t expect the audience to remember every single song, let alone every single note. But we can hope that the audience leaves with the general feeling of the performance.<sup>21</sup> I think we can achieve this goal offline or online.

Ultimately, I am hopeful about the transition to online teaching. There are many ways to teach online well, and to teach online poorly. The same is true for in-class instruction. But if we focus on what is essential and enduring for our students, helping them navigate through law school, and connecting with them, we’ll not only get through this period, we’ll emerge as stronger instructors for it.

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19 Liverpool FC manager Jürgen Klopp wrote that “football always seems the most important of the least important things.” *Jürgen Klopp’s Message to Supporters* (March 13, 2020), online: Liverpool FC <<https://www.liverpoolfc.com/news/first-team/390397-jurgen-klopp-message-to-supporters>> [<https://perma.cc/X2BQ-AUW3>].

20 Darby and Lang, *supra* note 9 at 7.

21 But I’m a tuba player, so it’s not like I play anything memorable anyways!