

COVID CARING: CONNECTIONS COUNT

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While sitting with my mother over lunch, two days before the deadline, talking about the invisible work of caring, I finally committed myself to writing this essay.

197

Mum and I wondered where the week had gone; we observed that many hours had been spent communicating with those caring for us (Mum's husband died 10 days prior, in long-term care from COVID 19), and for whom we are caring (my children and partner back in Winnipeg, the children and other relatives of Mum's husband, our friends and neighbours, isolated in the pandemic). Mum has always been a carer, by profession (as a nurse and midwife) and beyond. For more than 20 years, my research has focused on equality and care: the work of care, the work of mothers, and more recently the impacts of care on children, especially when the "care" is provided by the State. Teaching through the pandemic and preparing for the fall online has brought into focus how care is also the guiding force in my teaching.

Caring is based in relationships, and this "naturalness" has made it invisible. Feminists recognize that care is gendered and racialized, and within the market, is underpaid, undervalued and marginalized. Caring requires an emotional investment in an individual or group's well-being accompanied by a willingness to act for their benefit. Caring relationships are the means by which we encounter our students as human beings, as individuals with their own reasons to be in our classrooms, and as future lawyers who need to learn the law and the values of our profession.

In my conversation with Mum, I realized I had experienced the same feeling in March and April, wondering where my time had gone. I looked back through all the emails I had sent to my students in one "lecture" course with a reputation for being difficult and found the thread of care throughout. As we moved online, I found much more of my time was devoted to connecting directly with my students than to the particulars of the remaining content we had to cover. At first, I berated myself for the

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time I "wasted" thinking about the word choice, tone and content of every email.

The course in question was Income Tax Law and Policy (ITLP), which until 2 years ago, was a mandatory course. I thought a great deal over the first weeks of COVID about what we teach and why, how we measure learning and why, and most essentially, how to go forward in a way that is as fair as possible and upholds our basic human values and professional integrity. I care very much about my students, about learning, about our profession and about our values. I thought about what I hoped my students would learn. I always include a variety of assessments in every course to allow students a range of ways to demonstrate their learning, and to engage knowledge, skills and values.

I could not have known, as I planned the assignments in late 2019, how winter 2020 would unfold. How fortuitous that the mid-term assignment, due in mid-February, invited students, in groups of four, to reflect on an article from the Canadian Lawyer magazine about basic income within the theoretical framework for income tax laid out in the first chapter of our text. COVID later allowed me to share with them, "When someone has being a teacher as an integral part of their identity, they see "teachable moments" everywhere. At the risk of being guilty of TMI, I thought I would share a couple of news items that speak to issues in this course. A CBC story suggests that the coronavirus may have created a situation where a Basic Income could provide a fair and equitable way of supporting everyone in Canada in this time of social distancing and self-isolation. Taking it a step further, Whitzman (2020) argues that "Canada needs to rebuild its collective social welfare net frayed through three decades of neoliberal ideology. Funding should come from a return to progressive taxation of wealthy individuals and corporations."

An optional assignment, helping clients of the local food bank, Winnipeg Harvest, file their income taxes was scheduled throughout March. To the students doing the Harvest assignment, I wrote, "Given the position taken by the University, and because we all have both an individual and a collective responsibility to help stop the spread of COVID-19, the remaining tax clinics will be postponed. As one of you wisely observed last week, we have the 'privilege of choice' and this is not true for many of the clients Harvest serves." I offered students the option to complete the assignment in modified form and commit to a shift at Harvest in the

summer. Many accepted, and as one observed, "Our Winnipeg Harvest experience and reflection will stick with me forever."

Our faculty decided to move to a mandatory P/F system. Initially, I hesitated, thinking that students in my courses would be "penalized" because of all the work they completed early in the term. I knew that COVID 19 had adverse impacts on students' ability to learn that were not evenly distributed (depending on care responsibilities, work obligations, internet access, finances). The consequences were unrelated to anyone's academic ability, raised issues of equality and fairness, and made it unreasonable to expect to accurately evaluate learning and academic performance using standard assessment approaches. So, I reminded myself that the midterm and optional assignments created opportunities to learn important skills and professional values and to consolidate and demonstrate important knowledge. One student wrote, "I am not concerned that we put in work earlier in the term ... I learnt so much from both exercises. I can assure you that they were not a waste of time and allowed me to apply knowledge in the course, which is often not done in law school classes."

As I reviewed the extent and content of my communication with my students, which had felt invisible and unproductive, I saw that it flowed directly from my relationship with them, and my commitment to caring for them as an integral part of my teaching. I had not wasted my time. I had lived my commitment. These communications with the class as a whole (beyond countless individual emails and phone calls) spanned more than a dozen emails and nearly 4500 words between March 13 and May 1. My purpose, I realized, was to reassure, encourage and inspire, and thus to foster learning.

My emails covered a range of themes. In the beginning, many practical issues needed attention. On March 16, I wrote

Dear ITLP

When I was talking to you last week about when we might wrap up the lectures for this course, I did not imagine how quickly circumstances would change. ...

I have reviewed the syllabus, considered the learning still to be achieved and the learning that you have already demonstrated

and have determined that we can easily wrap up the course in a way that will leave you all knowledgeable in the “broad strokes of Canadian income tax law”. What I propose is that I will cover the material remaining for Chapters 7 and 8 in recorded “lectures” which I will post. ... Obviously we will not be gathering for an exam review, but I will create a “Discussion” online where people can ask their questions and everyone can see/participate. ... Given the position taken by the University, and because we all have both an individual and a collective responsibility to help stop the spread of COVID-19, we are all learning to operate in new ways, and supporting each other will be an important foundation of our success. ... we are each called upon to do and be our best in these very uncertain times. Take care of yourselves, your dear ones and each other, and “keep your distance”. I look forward to seeing you all again soon.

200

I quickly decided that recorded “lectures” would add little to the readings. More importantly, they would not be easily accessible by everyone. Some students would have a hard time listening to such lectures and taking notes. Instead, I created “study notes” to accompany each chapter, with specific references to excerpts from the text I would have highlighted, and discussion questions I would have posed, had we been in the classroom. I also put an enormous amount of time into structuring the final exam, and invited students to make suggestions to help create a suitable one. As I wrote to thank them on March 20, I was “particularly impressed at how many of you offered your thoughts about what would work well for yourselves, but also drew my attention to the situation of fellow students who may have other needs, especially students with care responsibilities (for children or parents or others) or who have limited access to internet...”

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Once the exam period started, I checked in: “I hope that you are managing to stay well, in body and spirit and I want to wish you well for your upcoming exams. I also wanted to share with you some [mental health] resources that I received from a guest speaker in my seminar course this term. [a series of links followed] ... Please feel free to be in touch with me at any time if I can be of assistance to you. I know that we are strong, even if we do not feel it all the time, and we will emerge even stronger as a result of the opportunity this situation has provided us to take stock and

reevaluate our priorities. Wishing you all the best for the end of term. Stay well."

My final email, on May 1, read as follows:

Hello, for the last time (at least officially within the framework of this course),

You will be able to see by now that you have passed the "dreaded" ITLP! I just wanted to thank you all for a great class, even through these strange pandemic times, and for the remarkable exams you all wrote, despite the times and the many varied challenges each of us has faced. I was never left with the impression that anyone wrote their exam just to "get the pass". ... I hope that you can go forward from this moment, confident in your adaptability, resilience and care for your fellow humans, as well as in the knowledge that our tax system plays a vital role in shaping the society we wish to live in and your role in that, as future lawyers. ...PS: Attached for your reading pleasure, a call for a basic income by nearly half of the members of the Senate of Canada, including several of our Manitoba Senators.

I received a surprising number of responses from students, to particular emails and in general. Most of these expressions of appreciation spoke to *how* I engaged with my students, *how* they felt and *how* they understood themselves in the face of the COVID challenges. They expressed thanks "for being flexible and accommodating during a difficult year in a course that many people (including myself) were intimidated by." They appreciated my "compassion to all in the face of this pandemic" and "the time I devoted to continued communication, compassion and care during this time." Another wrote: "Thank you for communicating with us and thinking through so many situations to accommodate everyone. I appreciate the care and consideration you are providing for us students very much and putting our needs first." Perhaps most importantly, "Your empathy is what I think will stick with everyone as they enter the profession - it is a reminder that law doesn't have to be cut throat. It can and should be a caring space as well."

As I think about September, and the 100+ first year students I will teach online (which can provide a powerful space for student-centred learning (Thomas and Sedell)), I want to remember that caring and connecting are not a waste of time. They allow me to create an environment for learning that will frame and engage students' understandings of themselves and law.

202

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COVID Caring:
Connections Count

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