



Flexible Learning Project Completion Report

Report Completion Date: (YYYY/MM/DD)

1. PROJECT OVERVIEW

1.1. General Information

Project Name: 2013FL1_LAW_Jackson

Principal Investigator: Michael Jackson

Team Members (Table 1.1) - *(Please fill in the following table)*

Table 1.1 - Roles and Responsibilities of the Project Team

Individual	Title/Affiliation	Responsibilities
Michael Jackson	Professor, Law	Advisory
Gordon Christie	Professor, Law	Advisory/pilot course
Amy Perreault	Strategist Aboriginal Initiatives	Project Manager/Design/Develop
Drew Ann Wake	Community Partner	Designer

Project Initiation Date: 2013/07/01	Project Completion Date: 2014/06/01
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1.2. Project Summary - Berger Inquiry Case Study – A number of UBC faculties offer courses dealing with environmental issues, Aboriginal rights and northern development. The Berger Inquiry is an important case study that allows us to understand how these issues interconnect. FL will allow us to create a unique 5-part overview lecture series, as well as an integrated “kit” of interactive media that can be used online by different faculties across the university. Currently, many courses are imparted in lecture formats with slides. This does not allow students to explore the original speeches or the newspaper clippings or the documentary files from the Berger inquiry, which give historical context to the lecture. By placing the lecture and the resources online, students will be able to explore the Inquiry materials at length and at their own pace. FL will also allow us to reach the widest possible audience, not only at UBC, but for scholars at distance universities, museums and archives. The Berger Inquiry is a British Columbia story – in fact, a UBC story – but it is a political process that is studied around the world.



1.3. Student Impact (Table 1.2) - Please fill in the following table for the period of time when your project was active. [Note: Adapt this section to the context of your project if this table does not capture the nature of it].

Table 1.2 - Student Impact

Course	Section	Enrollment	Term	Type of Implementation (pilot, full transformation, use of online resource, etc.)
LAW	352	21	1-2	Use of online resources/ pilot (x 2 classes)
FNSP	220	30	2	Use of online resources/ pilot (x2 classes)

2. PRODUCTS AND ACHIEVEMENTS

2.1. Products and Achievements - Please update the project products and achievements as necessary and indicate the corresponding implementation date [Examples: 10 online interactive lecture modules (SEPT-DEC 2013); A fully flipped course (JAN-APR 2014); Piloted two-stage midterms and final exam (SEPT-DEC 2013)]. Also please indicate the current location of such products [Examples: Department website, Connect, shared workspace, etc.].

Table 2.1 – Products and Achievements

Product(s)/Achievement(s):	Implementation Date:	Location:
<p>12 scrapbooks with participants of the Berger Inquiry were placed online in April 2014</p> <p>Segments of archival audio and video were attached to the scrapbooks</p> <p>In total fourteen interviews in video (12 minutes each) were shot and edited</p> <ul style="list-style-type: none"> • Six interviews • Eight additional interviews with Inquiry participants not residing in Vancouver • Four externally funded interviews shot and edited (Senators and MP's from Ottawa) <p>This, in effect, tripled the content of the proposed materials at the beginning of this project. The decision to do more video came as a result of testing the materials with classes here at UBC and additional</p>	<p>Testing of materials in 2 UBC classes completed January to April 2014</p> <p>June 2014</p> <p>November 2014</p> <p>March 2015</p>	<p>UBC Vancouver</p>



<p>evaluations conducted at ten universities across Canada.</p> <p>Our conclusions were that the enhanced interactive video content significantly increased student engagement.</p> <ul style="list-style-type: none"> - 40% visited two or three times and viewed 40 pages per visit; - 12% spent more than half an hour and viewed 140 pages - the whole website; - 75% of the visitors chose to read about the Aboriginal Fieldworkers. <p>Consultations in progress with faculty to integrate developed project materials into existing curriculum in order to implement cross-disciplinary connections.</p>	<p>Plans to pilot materials in other UBC classes to commence September 2015. Interested in developing online course that could be offered in multiple disciplines</p>	
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2.2. Item(s) not Met - Please list all of the intended project products and achievements that were not attained and the reason(s) for this.

Table 2.2 – Item(s) not met

Item(s) Not Met:	Reason:
Instructors guide	Will be developed in consultation with partner faculty who will pilot resource in their classrooms. Case study examples of how this project has been used will be showcased as a way to build interest and provide a faculty resource for further use.



3. PROJECT SUPPORT – Please provide feedback on the support you received during the life of your project, as applicable. Did the received support meet your needs and expectations? What can you recommend to improve the support process?

We are very grateful to the key faculty advisors (Gordon Christie, Glen Coulthard and Michael Jackson) for sharing their expertise as instructors. We deeply appreciated their willingness to share their experiences in Northern Aboriginal communities. In addition we would also like to acknowledge the support received through the leadership offered by Dr. Linc Kesler and Dr. Daniel Justice to ensure the this project has balance and speaks to both the aboriginal and non-aboriginal communities.

The Aboriginal participants from the Northwest Territories went out of their way to make themselves available for interviews. Without representation from the Inuvialuit and Dene leaders this project would not honor the Aboriginal perspectives in a sensitive and appropriate way.

UBC Studios collaborated on the planning and execution of most of the video interviews. Their enthusiastic participation significantly improved the project. In particular, Tom Scot’s willingness to shoot some of the interviews in difficult and remote locations ensured that we were able to interview elderly and community people in settings that were comfortable and enhanced the visual aesthetic of the project.

In order to work with the project budget the web developer assigned to this project was relatively junior. However, he approached the work in an enthusiastic and responsible way and was always open to constructive suggestions from other members of the team.

4. PROJECT EVALUATION

4.1. Project Outcomes (Table 5.1) - Please list the intended outcomes or benefits of the project for students, TAs and/or instructors. Also include the indicators used to guide your evaluation, and what constitutes your project’s success.

Table 5.1 – Evaluation and Indicators

Intended Outcomes (e.g., increased active in-class participation)	Indicator(s) (e.g., number of students participating in class; quality of the interventions)	What constitutes “success”? (e.g., larger numbers of students participating in class; greater integration of content in their comments/questions; 10% attendance increase)
1. To build an engaging interactive, media rich resource	Our conclusions were that the enhanced interactive video content significantly increased student engagement. - 40% visited two or three times and viewed 40 pages per visit; - 12% spent more than half an hour and viewed 140 pages - the whole website;	Willingness to engage with project materials for an extended period of time



	- 75% of the visitors chose to read about the Aboriginal Fieldworkers.	
2. Raise awareness of political and economic issues facing Aboriginal communities	Student participation increased around discussions as level of understanding grew and students felt that Aboriginal perspectives were represented. Student voices were noticeably louder as the lesson progressed and their confidence in the issues became clear. Students felt they had agency in expressing their ideas- not as an expert of Aboriginal issues but as an expert in understanding how their disciplines intersect with these issues.	Change in perspectives and attitudes towards Indigenous Rights

5.2 Data Collection and Evaluation Methods - *Indicate your evaluation methods including who was responsible for the evaluation. Please describe the data collection strategies used, how the data was analysed, and perceived limitations. Note: Please attach copies of data collection tools (e.g., surveys and interview protocols), any additional data or other relevant items.*

Students at 5 universities were asked to use the website prior to attending class. In class they engaged in 3 debates, writing their negotiated conclusions in essay form. An analysis of their responses revealed that:

Our preliminary study (November 2012) showed that UBC students lacked a foundational understanding of key Indigenous issues and terminology.

Our goal was to ensure that faculty relatively in-experienced in Aboriginal issues would feel comfortable using this resource in their classes. Our second goal was to create a resource that would prepare them to grapple with Indigenous issues when they reached the classroom. Students who worked with the preliminary version of the website (no-video) spent much less time reviewing pre-class materials. After the videos were implemented students spent 4 times more time preparing for the class.



5.3 Evaluation Results/Findings - *Explain to what extent your intended project outcomes or benefits for students, TAs and or/instructors were achieved or not achieved. You are encouraged to include both graphical representations of data as well as scenarios or quotes to represent key themes.*

Student feedback sample:

1) Off-shore drilling discussion

If I was Judge Berger, based on the information provided in the interviews we read, I would want to say (a resounding) NO to any off-shore drilling or pipelines. However, since that was not an option for Judge Berger, I would say "yes" to the projects and impose very strict conditions that had to be met before the projects could go ahead. These would include safety requirements and prohibitions on off-shore drilling occurring in Beluga whale habitat and on any pipelines crossing the caribou territory. In addition, I really liked and agreed with Judge Berger's recommendation about employing Aboriginal people for these projects.

2) Land claims discussion

This discussion was really about power and control: who has it and how to keep it. I'm not sure which viewpoint I agree with here: the Metis view (collaboration with resource companies) or the Dene view. I am tempted by the Dene's perspective, but appreciate the realism in the Metis approach. In addition, there are concerns about the Dene isolating themselves among other Aboriginal groups as being tagged as the group that holds a steadfast position against collaboration with resource companies. In short, I'm not sure!

3) My thoughts overall

Overall, I really liked the class and the exercises. It's an extremely interesting topic and it was really interesting to learn about the different issues and the different world views informing the various arguments made by the interviewees. It was a great exercise to have to read the interviews and be able to articulate a specific viewpoint in only a couple of minutes.

What I would say if I were Justice Berger:

Re: Jobs argument

Aboriginal peoples in the North are concerned about the impact this project will have on their traditional way of life. Communities don't want all the young people leaving for jobs and leave no one left in the community to hunt, fish, or trap. These communities depend on those activities for sustenance. But this way of life may be compatible with the work being offered along the pipeline. We must provide training and employment opportunities to those who want it, and from there we can employ a pool of workers that will enable people to work on the pipeline when they can, and still be able to take time off to hunt, fish, and trap. That way, communities won't lose people with these skills, jobs are provided for those who want them, and people don't have to move to a different part of the country to get it.

Re: Pipeline route

The pipeline faces opposition from both the Old Crow Flats and coastal route. The Porcupine Caribou herd is present at different seasons at both locations. The herd is important to both communities and evidence has been presented about their vulnerability at both locations. However, on the evidence, it appears that the herd will be



most vulnerable at the coastal location where they calve. Therefore, the pipeline should go through the interior where it can avoid the herd when they are most vulnerable, avoid the most severe permafrost, and where the route can more easily be altered to avoid the herd. Simply taking the most economical route is not an option.

1) Solution to solve the problem of the Inuvialuit:

If I had to make a determination based upon the information learned in our group discussions, I would emphasize the need for technology that is tested and proven to properly function in the conditions present for the MacKenzie pipeline. The dangers of leakage from icebergs scraping the plug off the oil line underwater, and the unproven technology in such cold temperatures outweighs the costs of taking time to test and develop technology that is going to function in a way that the land and water is least endangered. I would also require that the aboriginal groups be fully consulted and a large part of the process. It would also be necessary that the groups benefit as much as practicably possible from the development in term of employment opportunities. I would also order that the pipeline affect the fewest aboriginal traditional lands, regardless of additional cost and distance the pipeline may have to travel in order to avoid certain hunting and fishing grounds.

2) Solution to solve the problem of the conflict between the Dene, the Metis and the Oil Companies:

I would say that my solution would be much the same as above. The pipeline and any related work should be designed and implemented such that the aboriginal interests are minimally impaired.

Reflection on the Berger Inquiry Historical Project

“Canada put a noose around our neck.” This was the opening quote in my first voice narrative on the MacKenzie Valley Pipeline issue in the 1970s. It reflects the sense of isolation, powerlessness, and inevitability that comes through in the stories “then and now” contained in the exhibit.

In the intervening 40 years, the issues of development, aboriginal rights, and governance have resurfaced and the themes appear remarkably relevant. A court decision on aboriginal rights or title provides in most instances a distorted mirror of the lived experience. The first person reflections on the Berger Inquiry gave us an opportunity to put doctrinal considerations aside, to attempt to understand the impact of the issue on those communities.

History ultimately leads us to reflect on our present circumstances. Has the isolation felt by those in the North changed, as more southerners take issue with fracking and pipelines? Paradoxically, opposition to development in the South has the potential to increase pressures for northern or hinterland development. At the same time, it may have increased at least superficially solidarity and identification between northerners and those in the south at the level of environmental and social concerns.

In terms of those feelings of powerlessness, the move towards aboriginal self-government, more than claims over the land itself, appears to have restructured the debate between First Nations and government. The challenge on that front will be to avoid the exclusionary forces that come to bear when a finite resource is at stake, as we have seen as First Nations take control over their membership and decision making over who is in and who is out.

In terms of the feeling of inevitability we read about, the process and outcome of the Inquiry itself may have provided the inspiration and a belief in the power and potential of “consultation” for the generation that followed. With self-determination, comes the belief that nothing is inevitable.



5.4 Expected Long-Term Impact – *If applicable, indicate the impact your project is expected to have in this and/or other courses beyond completion.*

Table 5.2 – Expected Long-Term Impact

Course(s)	Number of Sections	Annual Enrollment

5.5 Dissemination – *Please provide a list of scholarly activities (e.g., publications, presentations, invited talks, etc.) in which you or anyone from your team have referred this Flexible Learning project. Include any dissemination activities you intend to accomplish in the future.*

Over the testing phase of the project, we were asked to give formal talks and lead classes at ten colleges and universities:

University of BC

University of Victoria (in-class testing of project materials and presentation at Land Claims conference)

University of Northern BC

Ottawa University

University of Toronto

Aurora College in Inuvik and Fort Smith, NWT

Yukon College in Whitehorse, YT

Mount Royal University *Under Western Skies Conference*- Calgary Alberta September 8, 2014

<http://skies.mtroyal.ca/the-berger-exhibit/>

Dalhousie University, NS

We were also invited to present the project materials at the following:

Centre A- Exhibit and evening talk- *Thunder in Our Voices: Considering the Communication Techniques Emerging from the MacKenzie Valley Pipeline Inquiry Experience* October 17th, 2014

Centre A is a leading public art gallery currently situated in the heart of Vancouver’s Chinatown. Our purpose is to be an engaged participant in the ongoing production of a pluralistic and democratic society. We strive to activate contemporary art’s vital role in building and understanding the long and dynamic Asia-Canada relationship, while tackling questions of broader concern from Asian and Asian-diasporic perspectives

Classroom Climate Series session presentation: *Uncovering Indigenous Stories at this “Place of Mind”: Bridging the Digital World and Place at UBC* November 19th, 2014



The Classroom Climate Series is a year-long program where faculty, teaching assistants, researchers, graduate students, and staff from all over the University have the opportunity to challenge their own assumptions about what they have learned about Aboriginal people, become more critically aware of their teaching and research practices, and learn more about how they engage with topics that challenge their own social location within the institution.

We have been invited to publish a 5-page article "to stimulate discussion" by James Bradburne who is editor of The Journal of Museum Management and Curatorship. This is an international journal published by Routledge in Oxford, England. The proposed title is: "Learning to Listen" about our experiences finding a way to encourage an audience of southern students to really hear the messages of the Dene and Inuvialuit.

5. DISCUSSION, RECOMMENDATIONS AND CONCLUSIONS - *Reflect on the broader implications of the project. Indicate instances where your project has impacted courses or individuals not identified in your proposal. Include any recommendations you have for future Flexible Learning project leads.*

The creation of resources through this cycle of funding- FL project has enabled the project to gain traction both inside UBC but also with the communities whose stories and family histories we draw and reflect upon in the resource materials. The high quality and professional look of the materials makes them very engaging to both southern audiences as well as Northern communities and these materials can easily be re-purposed in multiple forums for learning.

5.1. Teaching Practices – *Please indicate if your teaching practices have changed as a result of your Flexible Learning project. If so, in what ways? Do you see these changes as sustainable over time? If not, why do you think that is the case?*

Glen Coulthard- Faculty in First Nations Studies Program-“ Although it didn't cause me to change or reevaluate my teaching practices, it did confirm to me the importance of continuing to diversity my approach through collaboration with other expertise across UBC, so thankful for that. I hope to do something similar this year with Amy Perreault, Strategist for Aboriginal Initiatives- Centre for Teaching, Learning and Technology.

5.2. Student Involvement in FL team – *Were there any undergraduate or graduate students involved in the development and/or evaluation of your FL project? Please describe their contributions and overall experiences as part of your Flexible Learning team.*

We actively sought after student feedback throughout the development phase of this project through verbal feedback in classroom discussions and debates as well as written feedback through individual student reflection papers and small group recommendations activity conducted at the end of each session. Based on the outcomes of each session we were able to determine what areas of the project needed to be strengthened, shifted or re-aligned based on student's responses collected and shared. In some classes we worked with faculty to design reflective activities where students wrote their reflections as part of the course assignment. This served two purposes- the



instructor was able to use the materials collected for their own course assessment and we were able to assess the impact and design of the sessions based on the feedback we received.

For many students, this was the first time they had heard first hand accounts and perspectives of Indigenous peoples being represented in the classroom. The use of video and debate was also quite new for students and they appreciated the diversity of approaches to learning course material in this way. In Law in particular, students found the exposure to a first hand account being recollected as having great impact on them versus text heavy legal cases. There were other courses where students thought they had little expertise to contribute but were then surprised when the application of what they had learned in their course had value in determining outcomes and recommendations.

6. PROJECT SUSTAINMENT - *Please describe the sustainment strategy for the project components. How will this be sustained and potentially expanded (e.g., over the next five years). What challenges do you foresee for achieving the expected long-term impacts listed above?*

The sustainment of this project will be made possible through bridging the resources that have been developed into classrooms at UBC as well as other institutions where the materials have been piloted. Ongoing consultations with UBC faculty on ways that these materials could support discussions related to resource development, law, Indigenous community consultations and Indigenous issues more broadly. In addition to the consultations the resources will be showcased at a number of Aboriginal Initiatives events offered through CTLT.

There is interest from faculty partners in exploring the idea of creating a course focused on Northern issues. The materials from this project will form the core resources that are drawn on for this course. There is also an interest in hosting an inter-institutional debate where UBC students challenge students at other universities to debate the key issues raised through this project. This will be a unique experience where students from diverse geographical locations and experiences will have the opportunity to learn from one and other while engaging with this project materials. The expansion of the project into curriculum development would be made possible through additional funding sources. The “inquiry” model that this project is built upon could serve other purposes and be used as a design that other projects and courses are modeled around.