

# Trigger Warnings: From Panic to Data

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## Introduction

Following a practice originated online, university faculty and staff have increasingly used “trigger warnings” to alert students to the possibility that they might be affected or even harmed by potentially traumatic material. This practice has led to a passionate debate about whether such warnings stifle or encourage student expression and academic freedom, and whether they are beneficial or detrimental to learning. In this article, we illustrate the history and current state of this debate, and examine the scientific support for the arguments for and against the use of such warnings. Specifically, we question the scientific basis for the suggestion that trigger warnings may foreclose critical analysis, while highlighting the negative impacts of forcing victims of assault to bear their trauma unaided. We discuss the state of research on the impact of trigger warnings on student learning and mental health. The article concludes with recommendations about how to construct and use trigger warnings to enhance rather than constrict classroom conversation, especially in the context of Title IX requirements.

## The debate

The term “trigger” is rooted in the field of mental health, with the diagnosis of post-traumatic stress disorder (PTSD). PTSD is an anxiety disorder that may develop after a person is exposed to an event involving actual or potential grave physical harm.<sup>1</sup> People who suffer from PTSD may have “trauma triggers,” which cause them to uncontrollably recall and relive traumatic experiences. In the general American adult population, the lifetime prevalence of PTSD is estimated at 6.8%.<sup>2</sup> However, prevalence is especially high among particular

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1. AM. PSYCHIATRIC ASS'N, *Posttraumatic Stress Disorder* § F43.10, DIAGNOSTIC AND STATISTICAL MANUAL 271 (5th ed. 2013).
2. Ronald C. Kessler, Patricia Berglund, Olga Demler, Robert Jin, Kathleen R. Merikangas & Ellen E. Walters, *Lifetime Prevalence and Age-of-Onset Distributions of DSM-IV Disorders in the National Comorbidity Survey Replication*, 62 ARCHIVES GEN. PSYCHIATRY 593 (2005).

populations, such as present and veteran military personnel.<sup>3</sup> Trauma triggers are inherently personal, so they are not the same for any two people. They may be associated with a smell, a taste, or a sight. Triggers can result in a number of symptoms, from intrusive thoughts to avoidance of reminders and angry outbursts,<sup>4</sup> and can be disruptive to learning.

A 2013 American Association of University Professor's (AAUP) report stated: "Faculty members may thus find themselves in the role of 'first responders' to reports of sexual assault, yet few consider themselves adequately equipped for the role—in part because they are the least likely campus constituency to receive information about sexual assault and guidance about reporting and responding to it."<sup>5</sup> As a response to this unique position in students' lives, some university faculty have instituted "trigger warnings" in their syllabuses and classroom activities so that students may avoid potential triggers. This activity has launched a thousand critiques, summarized below.

But before they were dry tinder in academic debates, "trigger warnings" were relatively common in the world of online blogging. In 2012, blogger Louise McCudden responded to some criticism in the feminist blogosphere about trigger warnings, which were often used before graphic descriptions of rape.<sup>6</sup> The online feminist blogging community has provided trigger warnings for a wide array of content, including descriptions of war, abuse, self-harming behavior, mental states of people suffering abuse or self-harm, and eating-disordered behavior or body shaming.<sup>7</sup> A 2014 article in *The New Republic* has a more detailed (though certainly not exhaustive) review of use in blogs than we can present here.<sup>8</sup>

Despite the glaring lack of empirical research on the benefit or harm of trigger warnings in a university teaching setting, the topic has stirred vibrant debate, primarily in *The Chronicle of Higher Education*. On one side of the argument stand individuals in favor of trigger warnings because they allow students to make decisions about whether to avoid potentially traumatic

3. Brian C. Kok, Richard K. Herrell, Jeffrey L. Thomas & Charles W. Hoge, *Posttraumatic Stress Disorder Associated with Combat Service in Iraq or Afghanistan: Reconciling Prevalence Differences Between Studies*, 200 *J. NERVOUS & MENTAL DISEASE* 444 (2012).
4. AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS (AAUP), *CAMPUS SEXUAL ASSAULT: SUGGESTED POLICIES AND PROCEDURES* 370 (2012) [hereinafter AAUP, *SEXUAL ASSAULT*], [https://www.aaup.org/file/Sexual\\_Assault\\_Policies.pdf](https://www.aaup.org/file/Sexual_Assault_Policies.pdf).
5. *Id.*
6. Louise McCudden, *Trigger Warnings are Nothing to Do With Censorship. They Give People More Choice, Not Less*, *F WORD BLOG* (Mar. 2, 2012), [https://www.thefword.org.uk/2012/03/trigger\\_warning/](https://www.thefword.org.uk/2012/03/trigger_warning/).
7. Soraya Chemaly, *What's Really Important about "Trigger Warnings"*, *HUFFINGTON POST BLOG* (May 20, 2014 1:56 PM), [http://www.huffingtonpost.com/soraya-chemaly/trigger-warnings-college-new-york-times\\_b\\_5359276.html](http://www.huffingtonpost.com/soraya-chemaly/trigger-warnings-college-new-york-times_b_5359276.html).
8. Jenny Jarvie, *Trigger Happy: The "Trigger Warning" Has Spread from Blogs to College Classes. Can it Be Stopped?*, *NEW REPUBLIC*, Mar. 3, 2014, <https://newrepublic.com/article/116842/trigger-warnings-have-spread-blogs-college-classes-thats-bad>.

material in the classroom, or in supplemental materials. Oberlin College, as early as 2013, included recommendations (not requirements) that faculty understand and avoid triggers, provide trigger warnings in their classes, and even avoid potentially triggering material not essential to the course.<sup>9</sup> Oberlin's suggestions to faculty were not limited to personal experiences of trauma, but also included potential triggers such as experiences of racism, colonialism, and religious persecution. The Oberlin policy, however, was created outside the usual curriculum committee process, by a panel of the Dean of Students, three deans, three students and two recent alums.<sup>10</sup> It was tabled because faculty felt excluded from the creation of the policy.<sup>11</sup> Similarly, in 2014, student senators at UC Santa Barbara passed a resolution urging that trigger warnings be mandatory on course syllabuses.<sup>12</sup>

Most recently, the President of Northwestern University wrote in *The Washington Post* about safe spaces, the newest location of the safety-vs.-academic-freedom debate. He wrote that a feeling of safety is necessary in any inclusive space, adding, "experts tell me that students don't fully embrace uncomfortable learning unless they are themselves comfortable."<sup>13</sup> Likewise, Angus Johnston from CUNY suggested in *Inside Higher Ed* that trigger warnings, rather than stifling academic freedom, allow learning to happen more easily by acknowledging the challenges that students bring to their higher education classrooms. Specifically, he argued that allowing people to prepare for traumatic material might then enable them to absorb the learning from the material, rather than simply manage their own traumatic reaction.<sup>14</sup> Those who support trigger warnings also often advocate for safe spaces (also called "third spaces"), which minimize discrimination and harassment, not

9. OBERLIN OFFICE OF EQUITY CONCERNS, SEXUAL OFFENSE RESOURCE GUIDE: SUPPORT RESOURCES FOR FACULTY (2013), <https://web.archive.org/web/20131222174936/http://new.oberlin.edu/office/equity-concerns/sexual-offense-resource-guide/prevention-support-education/support-resources-for-faculty.dot>.
10. Colleen Flaherty, *Trigger Unhappy*, INSIDE HIGHER ED, Apr. 14, 2014, <https://www.insidehighered.com/news/2014/04/14/oberlin-backs-down-trigger-warnings-professors-who-teach-sensitive-material>.
11. *Id.*; AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS, *On Trigger Warnings*, Aug. 2014 [hereinafter AAUP, *Trigger Warnings*], <https://www.aaup.org/report/trigger-warnings>.
12. Tiana Miller-Leonard, *A.S. Senate Passes Proposal to Label Trauma-Provoking Academic Content*, DAILY NEXUS (Feb. 27, 2014, 11:19 PM), <http://dailynexus.com/2014-02-27/a-s-senate-passes-proposal-to-label-trauma-provoking-academic-content/>.
13. Morton Shapiro, *I'm Northwestern's President. Here's Why Safe Spaces for Students Are Important*, WASH. POST, Jan. 15, 2016, [https://www.washingtonpost.com/opinions/how-to-create-inclusive-campus-communities-first-create-safe-places/2016/01/15/069f3a66-bb94-11e5-829c-26ffb874a18d\\_story.html?utm\\_term=.a6f362ea9eai](https://www.washingtonpost.com/opinions/how-to-create-inclusive-campus-communities-first-create-safe-places/2016/01/15/069f3a66-bb94-11e5-829c-26ffb874a18d_story.html?utm_term=.a6f362ea9eai).
14. Angus Johnston, *Why I'll Add a Trigger Warning*, INSIDE HIGHER ED, May 19, 2014, [https://www.insidehighered.com/views/2014/05/29/essay-why-professor-adding-trigger-warning-his-syllabus?utm\\_source=slate&utm\\_medium=referral&utm\\_term=partner#sthash.pFAfa5UF.dpbs](https://www.insidehighered.com/views/2014/05/29/essay-why-professor-adding-trigger-warning-his-syllabus?utm_source=slate&utm_medium=referral&utm_term=partner#sthash.pFAfa5UF.dpbs).

to stifle speech, but to encourage it even more, in the form of “impossible conversations.”<sup>15</sup>

On the other side of the argument stand individuals and organizations who believe that trigger warnings are a form of censorship and political correctness that can lead to exclusion of important works from course materials and discussion. The belief on this side is that the nature of higher education is to make students uncomfortable, even shocked, as they face new ideas and experiences.<sup>16</sup> The Oberlin policy began a debate in the wider press, with the *Los Angeles Times*<sup>17</sup> and *The New Republic*<sup>18</sup> criticizing it directly. In addition, a year after its 2013 report *endorsing* faculty’s role in addressing student trauma, an association subcommittee on academic freedom released a scalding report titled “On Trigger Warnings” that condemned the practice, calling it “a threat to academic freedom,” and using language like “offending students’ sensibilities,” “infantilizing” and “anti-intellectual.”<sup>19</sup> The subcommittee’s concerns were myriad, from prioritizing comfort over intellectual engagement to marginalizing, in particular, nontenured and contingency faculty, and from “reducing students to vulnerable victims” to using the classroom for treatment of a disorder (PTSD) that should be treated in a medical setting. The subcommittee was also concerned about the idea spreading, for example, to academic libraries, where they saw labeling systems as potentially dangerous censorship. Their recommendations were that such trigger warnings be left up to individual faculty members, and not codified as university policy. One of the most widely read pieces on trigger warnings was published in *The Atlantic* in 2015.<sup>20</sup> Written by a law professor and a professor of social psychology, it repudiates such warnings (and similar practices, such as labeling microaggressions) with a series of examples in which faculty or students were silenced because of student and administrator demands that they coddle fragile students who retreat from challenging or unfamiliar ideas.<sup>21</sup>

15. Ajay Nair, *Resettling Safe (Third) Spaces*, HUFFINGTON POST (Sept. 13, 2016, 10:56 AM), [http://www.huffingtonpost.com/entry/resettling-safe-third-spaces\\_us\\_57d2c43be4b0f831f7071b4b](http://www.huffingtonpost.com/entry/resettling-safe-third-spaces_us_57d2c43be4b0f831f7071b4b).

16. Flaherty, *supra* note 10.

17. Megan Daum, *Why “Trigger Warnings”? We Already Live in a Hair-Trigger World*, L.A. TIMES, Apr. 3, 2014, <http://www.latimes.com/opinion/commentary/la-oe-daum-trigger-warning-santa-barbara-20140403,0,6548776.column#axzz2ybI5UwVg>.

18. Jarvie, *supra* note 8.

19. AAUP, *Trigger Warnings*, *supra* note 11.

20. Greg Lukianoff & Jonathan Haidt, *The Coddling of the American Mind*, ATLANTIC, Sept. 2015, <http://www.theatlantic.com/magazine/archive/2015/09/the-coddling-of-the-american-mind/399356/>.

21. For instance, the University of Chicago’s Dean of Students, John Ellison, sent a letter to incoming freshmen stating, “Our commitment to academic freedom means that we do not support so-called ‘trigger warnings,’ we do not cancel invited speakers because their topics might prove controversial, and we do not condone the creation of intellectual ‘safe spaces’ where individuals can retreat from ideas and perspectives at odds with their own.” Leonor Vivanco & Dawn Rhodes, U. of C. Tells Incoming Freshmen It Does Not Support

The problem with this language is that, in fact, trauma does have concrete effects on learning.

### Why warn?

Critics of trigger warnings characterize the experience of being triggered in the classroom as being made to feel “uncomfortable.” This complaint carefully avoids the actuality of triggers, the physical response that the label of “trigger” refers to, and the way this physical response affects learning. Being traumatically triggered is a state beyond “discomfort.” Here, we will clarify and remind readers of the science, and repercussions, of trauma triggers.

#### *The science of triggers*

It is worthwhile to begin with the use of the word “trigger” in the phrase “trigger warning.” The term’s connection to artillery reminds us that this understanding of trauma springs historically from an attempt to describe the emotional and psychological experiences of soldiers returning from combat. It is fundamentally associated with the diagnosis of PTSD, one criterion for which is “intense psychological distress or reactivity to cues that symbolize some aspect of the [traumatic] event.”<sup>22</sup> As Bessel van der Kolk reminds us, since even the late 1800s physicians have postulated that “traumatized patients seemed to react to reminders of the trauma with emergency responses that had been relevant to the original threat, but that had no bearing on current experience.” This understanding has been greatly refined by research over the past century on those who have experienced or witnessed a traumatic event or learned of trauma happening to a loved one: combat, violent crimes, sexual assault, kidnapping, natural disasters, car accidents, and imprisonment are frequently cited examples.<sup>23</sup>

Neither the response to this trauma nor the original traumatic event should be reduced to general feelings of discomfort experienced by students exposed to material they merely dislike. To the contrary, in her ur-text in the field, *Trauma and Recovery*, Judith Herman describes traumatic events as “extraordinary”

[n]ot because they occur rarely, but rather because they overwhelm the ordinary human adaptations to life. Unlike commonplace misfortunes, traumatic events generally involve threats to life or bodily integrity, or a close personal encounter with violence and death. They confront human beings

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‘Trigger Warnings’ or ‘Safe Spaces’, CHICAGO TRIBUNE (Aug. 25, 2016, 5:48 PM), <http://www.chicagotribune.com/news/local/breaking/ct-university-of-chicago-safe-spaces-letter-met-20160825-story.html>.

22. AM. PSYCHIATRIC ASS’N, *supra* note 1.

23. JUDITH LEWIS HERMAN, *TRAUMA AND RECOVERY: THE AFTERMATH OF VIOLENCE FROM DOMESTIC ABUSE TO POLITICAL TERROR* (1997); Bessel A. van der Kolk & Alexander McFarlane, *The Black Hole of Trauma*, in *TRAUMATIC STRESS: THE EFFECTS OF OVERWHELMING EXPERIENCE ON MIND, BODY, AND SOCIETY* 3-23 (Bessel A. van der Kolk, Alexander McFarlane and Lars Weisaeth eds. 2007).

with the extremities of helplessness and terror, and evoke the responses of catastrophe.<sup>24</sup>

Indeed, the fact that “trauma is qualitatively different from stress and results in lasting biological emergency responses” is one of the fundamental principles not only of the understanding of PTSD but also of psychiatry itself.<sup>25</sup> PTSD researchers specifically have long recognized that the panic experienced by sufferers of PTSD is not merely psychological, but physiological; while sufferers may appear numb and remove themselves from emotional contexts, “their bodies continue to react to certain physical and emotional stimuli as if there were a continuing threat of annihilation.”<sup>26</sup>

In common parlance, the term “trigger” has been used as a shorthand signifier for the stimulus that precipitates a return to the autonomic stress reaction that individuals experience in such a catastrophe. And while the cause of the trauma is highly variable, the response in human beings is surprisingly consistent: hyperarousal, intrusive reliving of the event, dissociation, numbing. Other responses can include irritable behavior and angry outbursts, reckless or self-destructive behavior, hypervigilance, exaggerated startle response, concentration problems, and sleep disturbances.<sup>27</sup>

Lest the reader become confused by the vague notion of “intrusive reliving of the event” or “hyperarousal,” let us specify what occurs medically in the case in which a traumatized individual is triggered. The trigger creates what is referred to as a “sensitized hyperarousal response” in which an extreme bodily stress response results from a generalized reminder of the initial traumatic event.<sup>28</sup> This stress is intensely biological—it consists of a flood of hormones issuing autonomically from the hippocampus: catecholamines, cortisol, adrenaline, opiates, and oxytocin.<sup>29</sup> This physiological response mimics the stress of the original trauma. Trauma survivors may relive their trauma, their helplessness, and their panic, not merely in the sense of (vivid and inescapable) recollection of traumatic events, but in the (vivid and inescapable) physical re-creation of the body’s biological response to the event.

24. HERMAN, *supra* note 23, at 33.

25. Bessel A. van der Kolk & Jose Saporta, *The Biological Response to Psychic Trauma: Mechanisms and Treatment of Intrusion and Numbing*, 4 ANXIETY RES. 199 (1991).

26. *Id.*, citing ABRAM KARDINER, *THE TRAUMATIC NEUROSES OF WAR* (1941).

27. AM. PSYCHIATRIC ASS’N, *supra* note 1.

28. Bruce Perry, *The Neurodevelopmental Impact of Violence in Childhood*, in *TEXTBOOK OF CHILD AND ADOLESCENT FORENSIC PSYCHIATRY* 221-38 (D. Schetky, & E. Benedek eds. 2001).

29. Jonathan Sherin & Charles Nemeroff, *Post-Traumatic Stress Disorder: The Neurobiological Impact of Psychological Trauma*,<sup>13</sup> *DIALOGUES CLINICAL NEUROSCIENCE* 263 (2011); Bessel A. van der Kolk, *The Body Keeps the Score: Memory and the Evolving Psychobiology of Posttraumatic Stress*, 1 *HARV. REV. PSYCHIATRY* 253, 254 (1994).

*How triggers affect learning*

Students who have experienced trauma in their histories and reexperience the physical and psychological effects of that trauma in the classroom may feel mortal terror and fear of their own death. Natural coping mechanisms, such as opiates and oxytocin, may flood the body at the same time as norepinephrine is released, encouraging a fight-or-flight response.<sup>30</sup> In short, they panic—psychologically and biologically—and panic makes it very hard to learn.

While not enough research focuses on the impact of trauma on learning for college-age sexual assault survivors, one study that compares rape survivors with combat veterans identified similar impairments in information recall.<sup>31</sup> Additionally, research on other trauma survivors in the classroom can be instructive to us. In combat veterans, there are “significant associations between PTSD and cognitive functions,”<sup>32</sup> especially in encoding new information and using organizational strategies for learning. Another study involving refugees who have been diagnosed with PTSD identified impairment in verbal learning. The study authors noted specifically that “intrusive and arousal symptoms may account for difficulties in using serial organizational strategies.”<sup>33</sup> Significant data also exist on the impact of trauma on learning in the K-12 classroom. The Adverse Childhood Experiences (ACE) survey demonstrates that children who witness or experience trauma suffer in their academic performance and lag behind their peers in a number of key progress indicators.<sup>34</sup>

Students who have experienced trauma are therefore already at risk in the classroom. The ongoing effects of trauma intrude on their participation, recollection, and organization skills. Already, an acknowledged achievement gap exists between students who have been victimized and those who have not.<sup>35</sup> The added physiological effects of traumatic triggering can only further imperil these students (or at least their grades), making an already challenging situation impossible for as long as the response lasts.

This factor may be aggravated in a curved class, as many law school classes are, where to some extent students must be in competition with one another.

30. Van der Kolk, *supra* note 29, at 255.

31. Melissa Jenkins, Philip J. Langlais, Dean Delis & Ronald Cohen, *Learning and memory in Rape Victims with Posttraumatic Stress Disorder*, 155 AM. J. PSYCHIATRY 278 (1998). Note here that the average age of the rape survivor in this study was twenty-seven years old.

32. Jennifer Blevins Sinski, *Classroom Strategies for Teaching Veterans with Post-Traumatic Stress Disorder and Traumatic Brain Injury*, 25 J. POSTSECONDARY EDUC. & DISABILITY 87 (2012).

33. Grethe Johnson, *Verbal Learning and Memory Impairments in Posttraumatic Stress Disorder: The Role of Encoding Strategies*, 165 PSYCHIATRY RES. 68, 75 (2009).

34. Rutgers Robert Wood Johnson Medical School, *Traumatic Experiences During Early Childhood Linked to Poor Academic Performance, Behavior Problems in Kindergarten*, SCIENCE DAILY, Jan. 14, 2016, [www.sciencedaily.com/releases/2016/01/160114110952.htm](http://www.sciencedaily.com/releases/2016/01/160114110952.htm).

35. Carol E. Jordan, Jessica L. Combs & Gregory T. Smith, *An Exploration of Sexual Victimization and Academic Performance Among College Women*, Office for Policy Studies on Violence Against Women Publications (2014), [http://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1037&context=ipsvaw\\_facpub](http://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1037&context=ipsvaw_facpub).

In such circumstances, affected students suffer unfairly from a disadvantage having nothing to do with their capacity or effort. Triggering these students with no warning is, in these classes, similar to kicking their legs out from under them in the middle of a race.

Nor do these students comprise an insignificant portion of the student body. Leaving aside returning veterans, victims of violent crime, and individuals who have experienced various physical traumas in their lives, a report from the National Institute of Justice has estimated that approximately one in five women experience rape or attempted rape while in college.<sup>36</sup> Other studies place the number between one in three and one in four.<sup>37</sup> Of women who experience rape, one study has suggested that thirty percent will experience PTSD sometime in their lives,<sup>38</sup> while another states that ninety-four percent of women suffered from PTSD at two weeks after the attack, and fifty percent still suffered from PTSD three months later.<sup>39</sup>

Professors risk losing dedicated, committed, and highly intelligent students by ignoring the challenges they are facing. Learning challenging new material should be difficult, but trauma can place additional burdens on even the most agile and accomplished learners. And experiencing trauma should not disqualify students from participation in higher education.

#### *Can warnings help?*

Recently, a student who works for one of the authors shared an experience that she had on the first day of her class. This student reported that one of her faculty members began the semester by stating her significant concern with providing “trigger warnings” regarding course content. According to Maggie,<sup>40</sup> the professor ended her comments by noting that her syllabus contained a number of readings with explicit descriptions of violence and any student not prepared to encounter this material should consider withdrawing from the course. And so, Maggie noted, the faculty member ended her comments on rejecting trigger warnings by offering a trigger warning.<sup>41</sup>

36. BONNIE FISHER, FRANCIS T. CULLEN & MICHAEL G. TURNER, NATIONAL INSTITUTE OF JUSTICE, *THE SEXUAL VICTIMIZATION OF COLLEGE WOMEN* (2000), <https://www.ncjrs.gov/pdffiles1/nij/182369.pdf>.

37. Jordan et al., *supra* note 35.

38. DEAN KILPATRICK, CHRISTINE N. EDMUNDS & ANNA K. SEYMOUR, NATIONAL VICTIM CENTER, *RAPE IN AMERICA: A REPORT TO THE NATION* (1992), <https://victimsofcrime.org/docs/Reports%20and%20Studies/rape-in-america.pdf?sfvrsn=0>.

39. Barbara Rothbaum, Edna B. Foa, David S. Riggs, Tamera Murdock & William Walsh, *A Prospective Examination of Post-Traumatic Stress Disorder in Rape Victims*, 5 J. TRAUMATIC STRESS 455 (1992).

40. Maggie is a pseudonym.

41. Note also the blog response to the University of Chicago statement against trigger warnings. See, e.g., Justin W., *University of Chicago Issues Massive Trigger Warning*, DAILY NOUS (Aug. 26, 2016, 1:51 AM), <http://dailynous.com/2016/08/26/university-chicago-issues-massive-trigger-warning/>.



Such a practice should be familiar to most professors. Almost all professors begin their classes, in some way, with a warning—whether it is a recitation of the requirements listed on the syllabus or an effort to highlight the ways in which students might receive an F. As professors, we warn our students about difficult material, and we offer them the opportunity to get out before it's too late. We also warn them of the types of discussions we are about to engage in, or facilitate, and what we will expect from them. We do this so that they can prepare themselves, allocate appropriate amounts of time, and do whatever else might be necessary to succeed in the class.

Further, in preparing our syllabuses and opening lectures, we remind ourselves of the content we wish to keep, the content we wish to highlight, and the content students have found difficult in the past. This allows us to keep our content fresh and keep our students engaged.

Trigger warnings serve similar purposes. Offering a warning allows a student the opportunity to drop the class, or to prepare whatever added support might be necessary to continue. Warnings allow these students to steel themselves for what may be in store. Offering a warning before the class begins encourages students to take responsibility for, and control of, their well-being and their education.<sup>42</sup> Much as a professor might say “If you are not ready for difficult readings, think about dropping this class,” a professor may say “If you are not ready to read graphic descriptions of violent assaults, think about dropping this class.” Hearing this warning allows students to make a choice to continue, offering agency and power back to traumatized students rather than surprising them. Placing a warning next to such content on a syllabus may more directly allow students to prepare themselves for the material and their possible reactions by mustering their own emotional resources, as well as reminding themselves (or, optimally, being reminded by the professor) of possible counseling services or support networks.<sup>43</sup>

Trigger warnings, additionally, “foreground the experience and effects of trauma”<sup>44</sup> in the classroom by explicitly acknowledging some in the classroom may have experienced traumatic incidents and continue to live with the impact of those traumas. It is hoped that such alerts will bring these issues to the attention of students, both those who have experienced trauma and those who have not. These signals offer a lesson to untraumatized students that such students exist, and that such people exist, and that these responses to trauma exist. It is worth noting that this lesson may be particularly useful in law school classrooms, which have been criticized for creating a generally

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42. Alison C. Cares, David Hirschel & Linda M. Williams, *Teaching About Victimization in an Online Environment: Translating in Person Empathy and Support to the Internet*, 25 J. CRIM. JUST. EDUC. 405, 408 (2014); Timothy Black, *Teaching Trauma Without Traumatizing: Principles of Trauma Treatment in the Training of Graduate Counselors*, 12 TRAUMATOLOGY 266 (2006).

43. See Cares et al., *supra* note 42.

44. Alison Kafer, *Un/Safe Disclosures: Scenes of Disability and Trauma*, 10 J. LITERARY & CULTURAL DISABILITY STUD. 4 (2016).

amoral perspective of life and reasoning, with negative impacts both on the students themselves and on their future clients.<sup>45</sup>

Further, this lesson may avert exacerbation of the traumatized student's responses, which is known to occur when fellow (untraumatized) students respond negatively upon learning about the student's victimization.<sup>46</sup> Perhaps more important is the recognition and reminder to students regarding the repercussions of trauma. These students may not yet have realized that their trauma may interfere in their learning, and may not be able to prepare themselves adequately for that interference. With a casual sentence, a professor may offer such students the resources to respond productively and recover if such triggering occurs.

It is undeniably true that professors will never be able to perfectly predict what may trigger a student. In fact, research shows a wide variety of types of triggers, from visual to acoustic to a combination of multiple types.<sup>47</sup> For example, Daniels and Vermetten describe a scene at a gas station in which a young woman pumping gas may be unaffected by the smell of gasoline while a Vietnam veteran might be reminded of bodies burned on the battlefield.<sup>48</sup> Similarly, it is undeniably true that trigger warnings cannot function as vaccines to triggers. Even the most attentive professors will probably, whether aware of it or not, trigger some students over the course of their careers.<sup>49</sup>

But foregrounding the experience encourages students to seek help if and when their learning is impeded by these issues. It reminds them that their professor will not consider them to be lesser students if and when they approach the professor to address the problem. It encourages approaching their professor, rather than simply dropping out of a class weeks into a semester.<sup>50</sup> As Cares et al. suggest, where victimization experiences make people feel out of control, trigger warnings may provide students an opportunity to regain control in the learning environment.<sup>51</sup> In short, offering a trigger warning is not a solution, but an aid. It will not rescue every student who struggles with

45. See, e.g., ELIZABETH MERTZ, *THE LANGUAGE OF LAW SCHOOL: LEARNING TO THINK LIKE A LAWYER* (2007); Richard Abel, *Introduction to the Special Issue, Comparative Studies of Lawyer Deviance and Discipline*, 15 *LEGAL ETHICS* 187 (2012); Robert Vischer, *Legal Advice as Moral Perspective*, 19 *GEORGETOWN J. LEGAL ETHICS* 225 (2006).

46. Dean Kilpatrick & Ron Acierno, *Mental Health Needs of Crime Victims: Epidemiology and Outcomes*, 16 *J. TRAUMATIC STRESS* 119 (2003); Fran Norris & Krysstof Kaniasty, *Psychological Distress Following Criminal Victimization in the General Population: Cross-Sectional, Longitudinal, and Prospective Analyses*, 62 *J. CONSULTING & CLINICAL PSYCHOL.* 111 (1994).

47. Helge H. Müller, Sebastian Moeller, Konstanze Jenderek, Armin Stroebel, Kurt Wiendieck & Wolfgang Sperling, *Differences in Intrusive Memory Experiences in Post-Traumatic Stress Disorder after Single, Re- and Prolonged Traumatization*, *FRONTIERS IN PSYCHOL.* 1, 1-6 (2016).

48. Judith K. Daniels & Eric Vermetten, *Odor-Induced Recall of Emotional Memories in PTSD—Review and New Paradigm for Research, Experimental Neurology* 284, 168-80 (2016).

49. Certainly each of us has done so, and some of us are still relatively early in our careers.

50. Cares et al., *supra* note 42, at 407.

51. Cares et al., *supra* note 42, at 408.

post-traumatic stress, but it may allow students to engage in that struggle more consciously and purposefully, thereby increasing overall rates of success.

Finally, the practice of considering possible triggers and placing trigger warnings throughout a syllabus or in a lesson plan can foreground the issue *for professors*. By engaging in this exercise, professors are more likely to be ready if and when a student approaches them with this problem. Professors are given the opportunity to consider whether material is fundamental to the course so that the course must be dropped if the student cannot find a way to handle the material, or the professor may have multiple other readings prepared as a substitution. By considering these issues in advance, professors not only allow their students control of the situation, but add to their own control of the class by determining, purposefully and without stress or time limitation, how they feel the material must be addressed over the course of the class.

#### *Reaching beyond life-or-death trauma*

While many professors might be willing to entertain the notion that veterans and other students suffering true PTSD symptoms deserve trigger warnings, much of the criticism of the practice has come from requests that professors avoid microaggressions, or offer trigger warnings for racist or misogynistic content. Here, opponents of the practice state that it is bordering on ubiquity and oversensitivity, and that it may chill professors' speech.<sup>52</sup> And as there is no recognized post-racism trauma syndrome, in such cases professors argue that the demand for trigger warnings is evidence of student overreach and a desire for coddling and ease in the classroom (rather than rigor and academic challenge). Here, as so many documents are riddled with blatant racism and misogyny, some worry that trigger warnings are a step on the path to eradicating fundamental content in their disciplines.

It is true that experiencing racism does not create the level of physiological response proved to exist in victims of trauma, but that does not mean the evidence of physiological response should be ignored. Limited evidence suggests that experiencing discrimination does biologically affect students, in ways that are fundamental to their ability to learn. Adam et al. have found that perceived racial discrimination affects cortisol levels in both blacks and whites.<sup>53</sup> This effect is independent of health factors, education, income, and depression.<sup>54</sup> Such an effect can be associated with cognitive impairment, such as memory impairment, and fatigue.<sup>55</sup> This results not from direct, extreme

52. AAUP, SEXUAL ASSAULT, *supra* note 4; Daum, *supra* note 17; Jarvie, *supra* note 8; Lukianoff & Haidt *supra* note 20.

53. Emma K. Adam et al., *Developmental Histories of Perceived Racial Discrimination and Diurnal Cortisol Profiles in Adulthood: A 20-year Prospective Study*, 62 *PSYCHONEUROENDOCRINOLOGY* 279 (2015).

54. *Id.*

55. N.Y.L. Oei, W.T. A.M. Everaerd, B.M. Elzinga, S. van Well & B. Bermond, *Psychosocial Stress Impairs Working Memory at High Loads: An Association With Cortisol Levels and Memory Retrieval*, 9 *STRESS* 133 (2006); Sonia J. Lupien, Bruce S. McEwen, Megan R. Gunnar & Christine Heim, *Effects of Stress Throughout the Lifespan on the Brain, Behaviour and Cognition*, 10 *NATURE* 434-

discrimination, but from small amounts of discrimination, creating stress (and its physiological response) in small ways that build up over the course of a lifetime. Even more recent research suggests that these physiological burdens may account for some portion of the racial education gap.<sup>56</sup>

Clearly this research is too new, and too limited, to claim that exposure to racism in educational texts creates the same effect, or triggers a physiological response. Yet at the same time the research controls for too many factors to completely ignore or dismiss it. Instead, the natural next question is, what is the downside of a warning? Are the risks associated with trigger warnings substantial enough to outweigh their potential benefits?

### And why not?

#### *The threat of the coddled mind*

One of the primary criticisms of trigger warnings is that they “coddle” students. In college, students learn through being challenged. Indeed, some of the greatest benefits students realize come through the discomfort they feel in reading difficult material, and the way such experience expands their minds.<sup>57</sup> This expansion is necessary, as we live in a world in which discomfort is inevitable (at least if one attempts to engage with one’s world, rather than hiding in a bubble or an echo chamber). For this reason, critics argue that omitting material, or even warning students of triggering material, inadequately prepares students for real-world circumstances. Moreover, critics warn, a class environment that includes trigger warnings may be part of *creating* a generation incapable of dealing with the slightest challenge: “[Y]outh become hypersensitive to all signs and evidence of the abuse about which they have learned.”<sup>58</sup>

In large part these arguments rely on the reduction of trauma triggers to feelings of “discomfort,”<sup>59</sup> a reduction that ignores much of the research described above. But granting that trauma triggers may be in a class separate from mere discomfort, is it possible that, by protecting students from this

45 (2009); Julie Deardorff, Discrimination During Adolescence Has Lasting Effects on Body: Decades of Unjust Treatment Impacts Stress Hormone Levels, Researchers Find, NORTHWESTERN NOW, Sept. 9, 2015, <https://news.northwestern.edu/stories/2015/09/discriminationduring-adolescence-has-lasting-effect-on-body>.

56. Dorainne J. Levy, Jennifer A. Heissel, Jennifer A. Richeson & Emma K. Adam, *Psychological and Biological Responses to Race-Based Social Stress as Pathways to Disparities in Educational Outcomes*, 71 AM. PSYCHOL. 455 (2016).

57. Jack Halberstam, *Trigger Happy: From Content Warning to Censorship*, SIGNS, <http://signsjournal.org/currents-trigger-warnings/halberstam/> (last visited May 26, 2017); Brittney Cooper, *No Trigger Warnings in My Class: Why You Won't Find Them on My Syllabi*, SALON, May 20, 2014, [http://www.salon.com/2014/05/20/no\\_trigger\\_warnings\\_in\\_my\\_class\\_why\\_you\\_won%e2%80%99t\\_find\\_them\\_on\\_my\\_syllabi/](http://www.salon.com/2014/05/20/no_trigger_warnings_in_my_class_why_you_won%e2%80%99t_find_them_on_my_syllabi/); Flaherty, *supra* note 10.

58. Lukianoff & Haidt, *supra* note 20.

59. See e.g., Cooper, *supra* note 57.

experience, we threaten to undermine the role of education in preparing students for “the real world”? Trigger warnings have not been present in classrooms long enough for rigorous, controlled studies to be performed, but analogous arguments have been made—in the context of single-sex<sup>60</sup> institutions of higher education.

Women’s colleges were founded to grant women access to higher education.<sup>61</sup> Indeed, “[b]efore the Civil War only three private colleges admitted women.”<sup>62</sup> Early American colleges were largely male, single-sex institutions, while women were excluded from higher education because of societal misperceptions about women’s capabilities and social norms regarding women’s “place” (i.e., at married, at home, and certainly not in the workplace).<sup>63</sup> Further, the transition to coeducational schooling occurred largely due to financial woes (as opposed to a change in these values), as men’s universities, strapped for cash, chose to admit female students to increase their revenue from tuition.<sup>64</sup> Another factor was the general public’s evolving belief that educated mothers could better raise educated sons, and, eventually that some women might not be able to get married, necessitating jobs in women’s roles, such as education (which deals with child care).<sup>65</sup> Combined, and bolstered financially by the women’s rights movement, these factors led to a ballooning of women’s colleges in the late nineteenth and early twentieth centuries.<sup>66</sup> However, in the 1960s and 1970s, both women’s and men’s colleges began to suffer financially, resulting in a huge shift toward coeducation in the United States as individual colleges began making efforts to appeal to larger audiences.<sup>67</sup> By 1982, single-sex colleges made up seven percent of colleges in the United States, as compared with forty-two percent single-sex in 1910.<sup>68</sup>

But as coeducation became the norm in higher education, and as women progressed in the workforce and began branching out beyond traditional “women’s jobs,” single-sex schools came under fire both from the public and from researchers. Coed universities had begun making single-sex schools

60. “Single-sex” is the commonly accepted term for such schools, although “single-gender” is more accurate, given that transgender students are part of these campus communities. We use “single-sex” in this paper because it is more commonly used.

61. Emily Langdon, *Women’s Colleges Then and Now: Access Then, Equity Now*, 76 PEABODY J. EDUC. 5, 6 (2001); IRENE HARWARTH, ELIZABETH DEBRA & MINDI MALINE, *WOMEN’S COLLEGES IN THE UNITED STATES: HISTORY, ISSUES, & CHALLENGES I* (1997).

62. HARWARTH, DEBRA & MALINE, *supra* note 61.

63. Langdon, *supra* note 61 at 6. *See also* FREDERICK RUDOLPH, *THE AMERICAN COLLEGE AND UNIVERSITY: A HISTORY* 307-08 (1962).

64. Langdon, *supra* note 61 at 7; Fred Mael, *Single Sex and Coeducational Schooling: Relationships to Socioemotional and Academic Development*, 68 REV. EDUC. RES. 101, 102 (1998).

65. HARWARTH, DEBRA & MALINE, *supra* note 61 at 2.

66. *Id.* at 2, 5-6.

67. Langdon, *supra* note 60 at 8; Mael, *supra* note 61 at 102.

68. Mael, *supra* note 64 at 102.

seem unnecessary, and possibly even harmful. The roots of rhetoric employed in opposition to single-sex schools was similar to contemporary criticisms of trigger warnings and safe spaces; critics of single-sex schools argued that coeducation better-prepared students for “real world” (intergender) interactions, reduced stereotyping, and avoided the ghettoization of women’s education (under the theory that women’s schools would be inadequately funded and, without male students, gendered education would reinforce typical gender roles).<sup>69</sup>

For proponents of women’s schools, many of the main arguments for the superiority of single-sex schools addressed the intangible benefits associated with the absence of men on campus. To these activists, coeducation not only was unsupportive of women, but provided an actively hostile climate to women’s self-esteem, confidence, and academic aspirations. Studies suggested that teachers were subconsciously reinforcing gender roles in coeducational environments, and that male faculty were supporting male students and ignoring or even sidelining female students by looking for higher-level responses from male students only while ignoring efforts of female students to engage in classroom discussions.<sup>70</sup> Single-sex schooling was seen as an opportunity to avoid the negative effect this environment created in the realms of self-esteem, educational and occupational aspirations, and career outcomes.

Early empirical research supported these criticisms of coeducation and the idea that single-sex education could remedy the problems. Studies suggested that women who had been “sheltered” from this hostile environment learned to participate with more confidence, and that this confidence translated into increased career aspirations as well as greater success in those careers.<sup>71</sup> But later results were mixed. Critics suggested that earlier studies had failed to control for the prestige of the women’s colleges surveyed, the prior educational

69. *Id.* at 103.

70. MYRA SADKER & DAVID SADKER, *FAILING AT FAIRNESS I* (1994); Cornelius Riordan, *The Value of Attending a Women’s College: Education, Occupation, and Income Benefits*, 65 J. HIGHER EDUC. 486 (1994); ROBERTA HALL & BERNICE SANDLER, ASSOCIATION OF AMERICAN COLLEGES: PROJECT ON THE STATUS AND EDUCATION OF WOMEN, *THE CLASSROOM CLIMATE: A CHILLY ONE FOR WOMEN?* 2-3 (1982), <http://files.eric.ed.gov/fulltext/ED215628.pdf>; ALEXANDER W. ASTIN, *FOUR CRITICAL YEARS: EFFECTS OF COLLEGE ON BELIEFS, ATTITUDES AND KNOWLEDGE* 114,129 (1977); ELAINE H. EL-KAWAS, OFFICE OF THE PROVOST, BROWN UNIVERSITY, *DIFFERENCES IN ACADEMIC DEVELOPMENT DURING COLLEGE, MEN AND WOMEN LEARNING TOGETHER: A STUDY OF COLLEGE STUDENTS IN THE LATE 70S* 7-8 (1990).

71. ASTIN, *supra* note 70; M. Elizabeth Tidball & Vera Kistiakowsky, *Baccalaureate Origins of American Scientists and Scholars*, 193 SCIENCE 646 (1976); Valerie Lee & Anthony Bryk, *Effects of Single Sex Secondary Schools on Student Achievement and Attitudes*, 78 J. EDUC. PSYCHOL. 381 (1986); Daryl Smith, *Women’s Colleges and Coed Colleges: Is There a Difference For Women?* 16 J. HIGHER EDUC. 181 (1990); Anne-Mette Kruse, ‘... We have Learnt Not Just to Sit back, Twiddle Our Thumbs and Let Them Take Over,’ *Single-sex Settings and the Development of a Pedagogy for Girls and a Pedagogy for Boys in Danish Schools*, 4 GENDER & EDUC. 81 (1992).

achievement of students accepted into those colleges, and the prior existing privileges of those students.<sup>72</sup>

For our purposes, however, the question is not whether single-sex schooling aids career advancement, but whether it undermines that advancement. Just as critics of trigger warnings have warned that such behavior coddles students and inadequately prepares them for life outside the ivory tower, where no one will pause for a warning before bringing up a horror story from the newspaper, critics of single-sex education argued that exposure to the opposite sex over the course of one's academic career was necessary to prepare one for interaction with the opposite sex in "real life."<sup>73</sup>

Empirical support for this idea is notably absent. Studies claiming to find flaws in the logic supporting women's colleges have found that outcomes are *similar* between single-sex and coed institutions. But no research has offered support for the notion that women's schooling *undermines* the capability of women to address a coed world. At worst, women's colleges prepare their students as well as coed colleges. Far from training fragility, results suggest offering the protective environment over college years at worst does not affect success; at best, many studies have suggested it offers the opportunity for women to develop the strength and expectation that they will be full contributors in a coed workforce.

#### *The threat to content*

Perhaps one of the greatest fears propelling the trigger-warning debate is that warnings will eventually graduate to (externally required) content modification—which is to say that the recognition of the harmful effects of triggering may, eventually, lead to administrations sanctioning professors who include triggering material in their classes, or requiring that professors allow students not to read (or watch, or otherwise engage with) certain material.<sup>74</sup> In fact, the information provided above suggests that the opposite is true.

Imagine, for a moment, that you are a student in an evidence class who once experienced a violent attack. As part of a discussion on relevance and inflammatory material, your professor plays an animated video (as many prosecutors might), showing a dark corner and an individual surrounded by large men in dark jackets. The video is narrated by a "testifying victim" who describes his or her attack in vicious detail—each blow being shown in animation on the screen, and accompanied by a full description of the feelings of the victim while being attacked, and the words he or she used to beg the assailants to stop. Suddenly, you are reliving your own attack. You can see your attacker. You are struggling for breath as a cocktail of stress hormones

72. Mael, *supra* note 64 at 106; Langdon, *supra* note 61 at 10-12.

73. Mael, *supra* note 64 at 103; Jane Kenway & Sue Willis, *Feminist Single-Sex Educational Strategies: Some Theoretical Flaws and Practical Fallacies*, 7 DISCOURSE 1 (1986); Diane F. Halpern et al., *The Pseudoscience of Single Sex Schooling*, 333 SCIENCE 1706 (2011).

74. See notes 16-19, *supra*, and accompanying text.

assails your body. You no longer hear the video or your professor or your classmates. All you are aware of is the attack, again, and your own desperate desire to survive.

This scenario is presented not to gain sympathy for those who suffer from PTSD. Instead, we wish to suggest that, based on all of the scientific literature presented above, **at this point it would be very unlikely that you would be engaging with the material in the course.** A triggered student is incapable of engaging with that material in that moment, and is likely to withdraw, or leave. This student has avoided addressing what might be an important following discussion concerning the limits of vivid victimization evidence, the relevance of that evidence, and at what point the probative value of evidence of the heinousness of a crime is substantially outweighed by the risks of “inducing a decision on a purely emotional basis.”<sup>75</sup> Moreover, the professor and the student are now taken by surprise and forced to play catch-up. How can the student make up for missing this material? How can the student return to class after having become noticeably affected during this video?

In contrast, if the professor has warned students that this day will involve graphic descriptions of a violent attack, the potentially affected student has an opportunity to prepare to address the situation. Students may fortify themselves emotionally. It is possible that students will choose to approach the professor and ask for some opportunity to negotiate on how the material is addressed. This, again, gives professors the ability to consider whether any alternative material is acceptable, or to choose (absent any coercion) whether students may miss the video and return for the discussion, or possibly view the material earlier in order to have an opportunity to compose themselves before the class conversation.

The use of trigger warnings does not require a professor to allow a student to skip material, or to provide alternative material. However, it does make both professor and student conscious actors in determining how to address that content, while retaining the final decision for the professor. Far from allowing students to skip content, **the warning enables students to participate in all content**, rather than being accidentally, biologically, and uncontrollably removed from class activities.

### **Conclusions and policy recommendations**

Despite occurring primarily in the community of higher education, and in the pages of journals targeted at academic audiences, the debate around trigger warnings has been disappointingly nonacademic. Few of its participants have taken the time or the opportunity to research the bases of trigger warnings, specifically the extensive and well-developed literature on post-traumatic stress disorder and/or students suffering the collateral consequences of victimization. Instead, arguments are based on their own anecdotal evidence of weak students who are afraid to deal with uncomfortable topics. We believe

75. FED. R. EVID. 403, advisory notes.



that the conversation should move beyond these personal complaints and into the realm of empirically supported argument.

Once the argument is reevaluated from the perspective of empirical support, the weakness of this anecdotal evidence becomes clear. The data show, rather, that traumatized students are not uncommon, nor is consideration of their trauma coddling, or otherwise unworthy of professors' efforts. In fact, the experience of being triggered is not "discomfort," and should not be ignored in anger over the possibility that students might attempt to use a claim of trauma to avoid important material. Indeed, offering trigger warnings is the opposite of content modification; it is an opportunity to place the responsibility for content directly in the student's lap, reminding students that it is their responsibility to be actively engaged in finding a way to fulfill the requirements of the class. At the same time, the warning acknowledges the reality of trauma and possible triggers, suggests that the professor does not think less of people who must confront these challenges, and encourages fellow students to follow suit.

It is possible that individual students and professors in certain courses will be unable to negotiate a satisfactory resolution. It is possible that some students will still be triggered, and that others will decide (at times correctly and at times incorrectly) that there is no way for them to address the relevant content in a productive manner. Having considered the matter in advance and offered a warning at the beginning of the semester, the professor may then feel confident punishing the student for missing the content as he or she would with any other student who missed content (taking into consideration, to the extent the professor chooses, the degree to which that punishment should be lessened by the student's explanation for his or her absence).

But professors should consciously and purposefully consider how necessary the material is. Surely every lawyer should learn criminal law, and every lawyer should learn rape law. Must every lawyer be an expert? Is it more important that all future tax attorneys and corporate litigators understand the nuances and history of rape law than that rape survivors be able to graduate from law school with high grades (if their work merits it) and find jobs as tax attorneys and corporate litigators? Such a question has no clear answer. Indeed, this would seem to us to be a vital question to be addressed by colleges, professors, law schools, and graduate schools when determining their core content and requirements for graduation. Thinking about trigger warnings, from a perspective informed by the data on victimization, trauma, and its classroom repercussions, can only aid in this decision.

As university faculty, staff and administrators, we acknowledge and empathize with the broader (if, thus far, unfounded) concerns regarding academic freedom, content modification, and student engagement that are motivating the defensive posture taken by some educators about trigger warnings. We do not approve of watering down academic content or leaving students to determine which parts of a class they may take or leave. With these factors in mind, we offer the following policy recommendations to universities.

1. *Reframe the action*

The use of the word “trigger” is a core problem of both the concept and the ensuing debate. In the clinical sense, a trigger can be literally anything, depending on the person and his or her traumatic experience(s). While violent material, for example, may be more likely to act as a trigger, no person can anticipate what someone’s triggers may be, nor may they, in turn, effectively warn people about all potentially triggering material.

Additionally, the explosion of debate over trigger warnings has created an environment that appears quite hostile to reasoned exploration of the use of warnings. As we noted above, critics of trigger warnings seem to be either unaware of or uninterested in this science. This frustrating turn of events undermines the opportunity for universities and professors to determine best practices on treatment and teaching of students who may be recovering from trauma.

Therefore, we suggest reframing the idea behind the trigger-warning debate as it currently exists in the academic and popular-media conversation. The debate is actually about *content notifications*, addressing material that students may find upsetting.

The phrase “content notifications” does not imply any right to avoid content. To the contrary, the phrase returns us to our description of the warning so many professors offer on their first day of class. By notifying students that “this class will contain . . .” or “I will expect of you . . .,” professors offer a form of informed consent to the class. The notification highlights for students that they should prepare for the material so they can address it. It may also (optimally, as will be discussed below) outline the concessions that might be made or resources that might be offered to enable students to address that content.

In fact, Kafer completely reframes the concept as *inclusion*, solidly within the field of disability studies, with “trigger warnings” encouraging students to do what they need to do to make spaces accessible, whether it is pacing or knitting. Such preparation, in the end, maximizes accessibility.<sup>76</sup>

2. *Offer multiple resources for support on campus, and inform professors of these resources so such information can be easily included in notifications*

Support for students who have experienced trauma is most effective when it is integrated into both the classroom and the cocurricular environment; yet too often campus professionals—in both academic and student affairs—operate within silos that are rarely breached. Trigger warnings are not meant to solve the problems traumatized students face, nor can they. The classroom is not a therapy session. The most trigger warnings can do is allow a student time to muster whatever resources are needed to enable confronting the relevant material.

76. See Kafer, *supra* note 44.

But other resources do exist on campus. The authors of this paper come from both academic and student-affairs backgrounds, and we have observed that many campuses, including our own, afford significant room for greater collaboration and information sharing between faculty and student-affairs professionals on campus, specifically in supporting students who have experienced trauma.

Collaboration or information sharing may take various forms and may be tailored to faculty members' interest and availability. Options for faculty can include relatively low-demand options, such as including information about campus support services (both confidential and nonconfidential options) in syllabuses alongside content notifications, or inviting student-affairs professionals who provide support services to discuss their services in faculty meetings. Administrators can support information sharing or collaboration by including information on student support services in faculty orientation programs; providing funding and support to develop training for faculty on these issues; encouraging but not requiring faculty to include content notifications on their syllabuses and providing a variety of sample-language options for faculty to adopt; and providing other resources—such as in-person instructional consultation, online resources, webinars, etc.—for supporting faculty in engaging in difficult subject matter.<sup>77</sup>

### *3. Offer options to make content notifications more convenient for faculty*

As more and more of the process of producing syllabuses, readings, and general course information is offered through learning management systems, adding the option to place content notifications and links to support resources would seem like a natural, and simple, solution.<sup>78</sup>

With an acknowledgment that not all triggers can be avoided, but that certain material is more likely than other material to trigger trauma victims, advisories could be largely standardized. This would not only enable the point-and-click simplicity for professors to add the advisories to syllabuses both in the beginning of the syllabus and before particular readings or classes, but would function as a simple reminder to professors to review the material they have assigned and consider the factor of triggers.

### *4. Educate professors and encourage, but do not require, content notifications*

As it is impossible to account for every possible trigger, we agree that penalizing professors for failing to offer content notifications would be a dangerous practice and would likely infringe on academic freedom and professors' speech; we do not support efforts on some campuses that would require faculty to provide content notifications to students. However, the

77. The University of Michigan's Center for Research on Learning and Teaching provides several such examples on its website. UNIVERSITY OF MICHIGAN, CENTER FOR RESEARCH AND LEARNING, <http://www.crlt.umich.edu/publinks/generalguidelines>; <http://www.crlt.umich.edu/node/81392>.

78. Thanks to Abigail Watson for this suggestion.

hostile environment that now exists about the question of safe spaces and triggering students makes it unlikely that professors will explore the need for content notifications on their own without prompting.

Therefore, we recommend that universities strongly encourage and provide incentives for top-down training sessions on the prevalence of traumatized students, the risks that trauma poses to students' achievement, the use of content notifications (and any available technology or examples), and the resources available on campus for students recovering from trauma. Such trainings exist already as a subset of faculty trainings on teaching student veterans, many of whom suffer from PTSD. We firmly believe (although, admittedly, without empirical evidence outside our own experiences) that a majority of professors do not want to lose students because of factors outside the students' own control. We expect that most professors, given a briefing on the biology of triggers and just how limited a content notification can be, would be amenable to considering where such notifications might be appropriate in their syllabuses. Optimally, such training would include sample notifications and contact information for student support services, possibly in electronic format, that could be copied and pasted into notes, lesson plans, and/or syllabuses with ease.

#### 5. Offer training to facilitate difficult conversations

There appears to be concern that modern law students are unwilling to engage in difficult conversations.<sup>79</sup> While, again, only anecdotal evidence exists for this claim, it is worth considering how such a trend might be combated.

In her groundbreaking study on legal education, Elizabeth Mertz presents detailed anthropological evidence that some aspect of the discomfort of students may be due to the sidelining of their experience and backgrounds in foundational classes.<sup>80</sup> Alternatively, it is possible that as these students have become more prevalent in law school classes and confident in expressing their opinions, those who know that their opposing opinions will receive pushback are less free in their class participation. It is also possible that, with each of these groups gradually exposing themselves to each other, students have finally noticed that differing opinions and backgrounds exist and that offense, trauma, and other emotional injury are possible.

This is not necessarily a bad thing. Although, certainly, quiet classrooms are to be avoided, the basics of civil discourse are an important aspect of education at any level. It cannot be a bad thing if college, law, and graduate students know that, at times, others may find their opinions offensive or their statements upsetting. Even better if these students learn ways to express these opinions without offending or triggering others, or learn to move past

79. Jeannie Suk Gersen, *The Trouble with Teaching Rape Law*, NEW YORKER, Dec. 15, 2014, <http://www.newyorker.com/news/news-desk/trouble-teaching-rape-law>.

80. MERTZ, *supra* note 45.

that response and into productive debate. One might think this would be a fundamental aspect of the training of future lawyers, politicians, educators, and others who are bound to be working with and for people with views and experiences foreign to their own at some point during their lives.

These conversations can be difficult. Students may be quiet. In such circumstances, it is a professor's job to find ways to stimulate debate. Again, this may be difficult. There are, however, ways to train faculty on how to have these difficult but very important discussions with students. At Metropolitan State College of Denver in 2009, for example, faculty participated in a yearlong "faculty learning community" first called "Difficult Dialogues" and later called "Critical Conversations." In this program, faculty were encouraged not only to build intersectionality into their courses in light of a diverse student body, but also to create classrooms where, as one participant put it, "we created a microcosm for what we wanted to produce among our students: a truly reflective, honest, safe space for the discussion of ideas that, if repressed for their difficult nature, have more power to harm than to produce social change and justice."<sup>81</sup>

#### 6. *Do the research*

A final concern in the trigger-warning debate appears to be that harms beyond PTSD triggers are being claimed, offering students an opportunity to hide from merely offensive or challenging (but not harmful) speech. The larger concern is that these broad claims undermine speech unnecessarily. As we noted above, in areas such as racial threat, research is inadequate to suggest that the damage caused by such speech is harmful enough to justify this concern and its potential to chill speech. But some new research suggests that some real harm is caused.

Should we be lumping together specific individual trauma experiences with the effects of larger structural issues? To this, we suggest the answer is to *do the research*. As we are not recommending mandated notifications, we are unconcerned about the threat to professors' careers from failing to offer notifications in these areas. But if the issue is undecided, the answer is to discover, through rigorous academic study, as much as we can about this possible harm. Professors who believe the harm exists are free to offer notifications of racist content in literature (again, these notifications do not limit content and seemingly carry a very low risk of any harm). Researchers must in turn discover what they can about the extent of harm and repercussions to learning caused by certain speech in classrooms.

It is almost unquestionably true that some students have asked for unreasonable accommodations over the past twenty years. This is an area of little research and much legal and philosophical debate, and *they are students*. In

81. AnnJanette Alejano-Steele, Maurice Hamington, Lunden MacDonald, Mark Potter, Shaun Schafer, Arlene Sgoutas & Tara Tull. *From Difficult Dialogues to Critical Conversations: Intersectionality in Our Teaching and Professional Lives*, 125 *NEW DIRECTIONS FOR TEACHING AND LEARNING* 91, 97 (2011).

contrast, professors and the academic community should be expected to look to what science is available and make decisions based on that science.

### **Overall Conclusions**

If trauma is truly an impediment to learning, having faculty awareness and mechanisms to deal with it are pedagogically sound techniques, not pampering. Where research exists regarding the abilities of students to learn, and the effects of certain speech, that research should not be ignored. Professors should be educated on the circumstances in which (at least some of) their students find themselves. This can only increase opportunities for productive discussions in classes that deal with difficult subjects.

The trigger-warnings debate is unproductive, and unacademic. A return to scholarship and scholarly discussion is long overdue. Professors generally desire to be productive in the classroom; they should be encouraged to view this debate as one about best practices and classroom productivity, and be informed by the empirical research that already exists.