Resolution (2012): Terminating the Chalking Moratorium

(Adopted on April 28th: 25 in favor, 2 against, 0 abstentions)

Sponsor: Scott Elias ’14, Jesse Ross-Silverman ’13, Chloe Murtagh ’15, Mari Jarris ’14, Ellen Paik ’16, Nicole Updegrove ‘14, Andrew Trexler ’14

The Wesleyan Student Assembly (WSA),

Reaffirming the WSA’s role as the representative student legislative and deliberative body of Wesleyan University,

Guided by the fervent desire of many students for a more inclusive campus culture, student participation in policymaking, and improving areas in which we, as a community, have fallen short,

Taking into consideration that a primary purpose of chalking is to express a message to the community in a quick, concise, cheap, and environmentally friendly manner,

Emphasizing that chalking as a mode of expression can compliment the Wesleyan educational mission and enhance the quality of student life,

Deeply convinced that “community standards” and regulations, especially when they do not obstruct the educational mission or impair community life, ought to honor community sentiment,

Noting the 44-8 faculty vote on October 3rd 2002 asking former President Bennet to overturn the Chalking moratorium,

Deeply convinced that the Wesleyan community at large opposes the current chalking moratorium,

Acknowledging that the University administration initiated the chalking moratorium after it began facing growing concerns regarding obscene, discriminatory, and threatening chalking on campus,

Noting the persistence of non-intimidating, non-hostile, non-offensive chalking despite the moratorium’s implementation and despite the opportunities provided by the present legality of chalking on public streets and sidewalks,

Noting further that the messages that have been chalked in recent years, despite the moratorium, have been largely around political issues on campus, and has not been generally considered intimidating, hostile, or offensive,

Recognizing that the enforcement of the chalking moratorium curtails positive student activism and political speech,

Noting that if the moratorium on chalking on sidewalks is lifted and a person perceives the chalk as intimidating, offensive, or in any way contributing towards a hostile work environment they reserve the right to notify the Director of Affirmative Action, Public Safety, and/or Physical Plant to remove the chalk, consistent with our community standards regarding other forms of communication as outlined in the guidelines for
posters, banners, announcements, and other forms of communication in the Student Handbook,

**Deeply convinced** that the aforementioned means of addressing individual cases of controversial chalking within a consistent communication policy addresses current administrative concerns while providing the benefits of chalking as a means of public expression and will contribute to a culture of community members respecting each other,

**Concerned** by the argument that Wesleyan’s past chalking controversy necessarily entails future incidents that have been largely absent for over a decade,

**Taking into consideration** Eric Stephen’s March 29, 2013 Wesleyan Argus article, “Chalk is Talk: Is Wesleyan’s Chalking Ban Illegal?” which argues that the chalking policy, as it exists now, is overbroad in a way that would likely not hold up to judicial scrutiny and, as a result, should no longer be enforced,

**Concerned** that the Chalking moratorium brushes oppressions and micro-aggressions that occur at Wesleyan under the rug and is thus inconsistent and antithetical to our university’s institutional goal of advancing social justice,

**Believing** that an end to the moratorium would allow for increased and direct community dialogue to resolve underlying issues, prejudices, and biases in the event of problematic chalking,

**Emphasizing** that an indiscriminate Chalking Moratorium forces an unnecessary exorbitant cost and an imprudent use of Wesleyan resources in a time of sacrifices and budget constraints,¹

**Guided** by the belief that the concerns of chalking don not justify the costs of the ban,

**Reaffirming** the Wesleyan Student Assembly’s support for the free exchange of ideas on campus, including the right for individuals to express their views in the form of chalk,

**Reaffirming** the Wesleyan Student Assembly’s commitment to fiscal responsibility in the allocation of Wesleyan resources and identifying cost-savings measures that will make Wesleyan more affordable,

**Acknowledging** that a trial period lifting the chalking moratorium on sidewalks is both reasonable and consistent with the prevailing rational consensus, and will provide further evidence that the benefits of chalking outweigh the costs,

Therefore, be it resolved that the Wesleyan Student Assembly:

1. **Calls for** the termination of the moratorium on chalking on sidewalks, thereby removing the chalking provision from Regulation 15 of the Code of

¹ According to the FY12 Budget breakdown the cost was $12,037 in 2012, which was a little more than a third of the University's unfunded vandalism and damage fees. If constant, the cost of the moratorium amounts to $48,148 over the cost of four years, $96,296 over 8 years and $120,370 over the course of a decade.
Non-Academic Conduct, ceasing the practice of preemptively erasing/washing away chalk and allowing chalk to be subject to the same communications policy/regulations as other media;

2. **Recommends** the use of technology to facilitate the reporting process and to ensure that negative dialogue is documented in the Campus Climate Log;

3. **Decides** to remain actively seized of the matter.