



October 16, 2020

President Naomi DeWinter
Muscatine Community College
152 Colorado Street
Muscatine, Iowa 52761

Sent via Electronic Mail (ndewinter@eicc.edu)

Dear President DeWinter:

We at FIRE appreciate your response to our letter of September 25, 2020, regarding the cancellation of the fall play at Muscatine Community College (MCC) by administrators from MCC and the Eastern Iowa Community College District (EICC). However, we remain concerned by the threat to freedom of expression and academic freedom posed by this cancellation.

While we appreciate that sponsoring virtual events may at times present additional technological hurdles, this does not appear to be the case here. As you are aware, the “Dog Sees God” performance is moving forward, directed by Alyssa Oltmanns and co-sponsored by local theatre group The Pearl City Players and local nonprofit Clock, Inc. It is our understanding that a plan is already in place to overcome any technological hurdles and that MCC and EICC would not need to provide additional resources to co-sponsor the fall play. Oltmanns—in coordination with The Pearl City Players and Clock, Inc.—has already secured an outside vendor, ShowTix4U, to provide technical resources for the prerecorded performances to be available to ticketholders on the performance dates.¹ Again, this plan is already in place and requires no additional technical or financial resources on the part of MCC or EICC.

Further, FIRE continues to be concerned about the chilling effect inherent to the manner in which the show was cancelled. Your reluctance to discuss Jeremy Pickard’s apparent concern about the content of the play and attempt to exert authority over its content does not lend credence to your claim that “[t]he decision to cancel the performance was made entirely

¹ Specifically, per the agreement already in place with ShowTix4U, the prerecorded performance will be uploaded at least four days before the performance dates, and audience members will be able to simply hit “play” on their ticketed date.

separately from any conversation related to the content of the performance.”² Nor does MCC spokesman Alan Campbell’s statement to *The Gazette* that MCC “reviews all college activities presented to the public and reserves the right to determine their appropriateness based on . . . content”³ lend credibility to your claim that the play was not canceled due to its content.

To the contrary, it is readily apparent that MCC’s cited public health and technological concerns are mere pretext, as evidenced by the vocalized administrative concerns about the content of the script, previous administrative efforts to exert control over the content of the play, the fact that MCC has not denied that there were administrative misgivings about the script’s content, and the fact that—despite MCC’s stated concerns—no additional financial or technical resources would be required for MCC to reinstate its sponsorship of the play. The pretextual nature of technological concerns regarding hosting a virtual event is further demonstrated by MCC’s choice to host a virtual panel on LGBTQ+ issues to precede the virtual performance of “Dog Sees God.”

If MCC’s concerns about COVID-19 and technological resources were not pretextual, and were instead based on a misunderstanding of plans related to the fall play, we trust that this letter will resolve those concerns and that MCC will reinstate its support of the fall performance of “Dog Sees God.” If, on the other hand, MCC’s withdrawal of support was driven by concerns with the script’s content, we again invite MCC and EICC to take this opportunity to align its actions with its First Amendment obligations and reinstate sponsorship of the fall play by allowing MCC’s name to be used in marketing materials and by ensuring students may attend free of charge.

It is our understanding that MCC has offered to use funding from student fees to purchase tickets for students to virtually attend the performance. This is a great first step. However, we urge MCC and EICC to fully reinstate its sponsorship of the performance of “Dog Sees God.” We further request assurance that MCC will respect Oltmanns’ right to select the play script in subsequent terms.

Given the urgent nature of this matter, we request receipt of a response to this letter no later than the close of business on Friday, October 23, 2020.

Sincerely,



Lindsie Rank
Program Officer, Individual Rights Defense Program

² Letter from Naomi DeWinter, President, MCC, to Lindsie Rank, Program Officer, Found. for Individual Rights in Educ., Oct. 1, 2020 (on file with author).

³ Erin Jordan, *Iowa college cans controversial play based on ‘Peanuts’*, GAZETTE, Sept. 29, 2020, <https://www.thegazette.com/subject/life/arts-and-culture/dog-sees-god-muscatine-community-college-play-canceled-20200929> (emphasis added).

Cc: Deborah Sullivan, EICC Director of Human Resources
Jeremy Pickard, MCC Dean of Instruction