

Philip DiStefano, Chancellor  
Office of the Chancellor  
Campus Box: 17 UCB  
UCTR  
914 Broadway Street  
Boulder, CO 80309-0318  
tel: 303-492-8908  
email: [Phil.DiStefano@Colorado.edu](mailto:Phil.DiStefano@Colorado.edu)

December 5, 2018

Dear Chancellor DiStefano,

I am writing on behalf of the Arts Advocacy Program at the National Coalition Against Censorship (NCAC), the Foundation for Individual Rights in Education (FIRE), and PEN America. As national organizations dedicated to promoting free speech, including freedom of artistic expression, we are deeply concerned by the relocation of a student art exhibition from the university's Visual Arts Complex lobby to a remote basement space, based on the content of the work. We urge you to immediately restore the exhibition to its original location.

It is our understanding that the exhibition, *Less Than Nothing*, is the solo thesis show of Kaelen Williams, a senior in the university's BFA program. It was prepared with members of the university art department and curated by Kendall Goduto, a recent university graduate. One of the works, a painting that depicts a noose, was used for the show's promotional poster. After receiving complaints about the poster, the university ordered the removal of the posters and the relocation of the show. CU spokeswoman Deborah Mendez Wilson told the *Daily Camera* that "the student was asked to relocate his artwork because students and others felt threatened by some of the images contained in the exhibition, including a noose."

University officials forced Williams to relocate his exhibition to a more secluded location so potential viewers would be allowed an opportunity to avoid the exhibit if they feel offended, as Mendez Wilson [explained](#) to Fox Denver 31.<sup>1</sup> Relocating the exhibition to a far less accessible space solely because some people find the content of the works disturbing is an act of censorship that denies the rest of the campus community the opportunity to view and consider the work for themselves and to discuss it with others. The decision penalizes the artist and sets a precedent for future exhibitions that may contain difficult content. It chills the artistic expression of all students, discouraging them from creating works that engage important and potentially difficult issues.

Mendez Wilson stated that "Context is crucial to art displays, and responsible curation often requires 'preparing' the viewer for the type of art they will be seeing." We agree. However, by relocating the exhibition, CU has avoided the more demanding task of providing this context, which can take the form of

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<sup>1</sup> <https://kdvr.com/2018/12/04/cu-art-student-forced-to-move-offensive-exhibit-to-remote-location/>

wall labels and signage, handouts, or programs such as an artist talk, workshop or panel. While it is inevitable that some artworks will disturb some viewers, obstructing open dialogue around difficult subjects fosters silence rather than understanding.

The primacy of the First Amendment at public universities like CU is well established. See *Widmar v. Vincent*, 454 U.S. 263, 268–69 (1981) (“With respect to persons entitled to be there, our cases leave no doubt that the First Amendment rights of speech and association extend to the campuses of state universities.”); *Healy v. James*, 408 U.S. 169, 180 (1972) (“[T]he precedents of this Court leave no room for the view that, because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large. Quite to the contrary, ‘the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.’”) (internal citation omitted).

The [“Governing Principles”](#) on free expression recently adopted by the CU Board of Regents state that “[t]he proper response to ideas that members of the university community find offensive or unwarranted is to challenge those ideas through the exercise of reason and debate, rather than attempt to interfere with or suppress them.” In keeping with these principles, CU must not allow negative reactions to artwork determine whether it will be “interfere[d] with or suppress[ed],” and should instead encourage offended viewers to engage in discussion about the work.

NCAC can assist CU in drafting clear and practical procedures for exhibiting difficult content in its campus galleries and other designated student exhibition spaces. Our [Museum Best Practices for Managing Controversy](#), a publication jointly produced with major arts and museum organizations, offers strategies to open up spaces for conversation and learning and to prevent or defuse potentially volatile situations. It encourages institutions like CU to address sensitive issues with civic engagement, not erasure of art, and to allow for the exploration of diverse ideas.

We urge CU to immediately restore the exhibition to the lobby where it can be displayed as the artist originally intended. Since the lobby space is reserved by the artist only through December 14, we request your response by Friday, December 7.

Thank you.

Sincerely,



Joy Garnett  
Arts Advocacy Program Associate  
National Coalition Against Censorship



Sarah McLaughlin  
Senior Program Officer, Legal and Public Advocacy  
Foundation for Individual Rights in Education



Jonathan Friedman  
Project Director, Campus Free Speech  
PEN America

Cc:

<p>Professor Kirk Ambrose Chair Department of Art and Art History <a href="mailto:kirk.ambrose@colorado.edu">kirk.ambrose@colorado.edu</a></p>	<p>Deborah Mendez Wilson Deputy Spokesperson Media Relations <a href="mailto:deborah.mendezwilson@colorado.edu">deborah.mendezwilson@colorado.edu</a></p>
<p>Scott E. Bocim Executive Assistant to the Chancellor <a href="mailto:scott.bocim@Colorado.edu">scott.bocim@Colorado.edu</a></p>	<p>Patrick T. O'Rourke Vice President, University Counsel and Secretary of the Board of Regents <a href="mailto:Patrick.ORourke@cu.edu">Patrick.ORourke@cu.edu</a></p>