

---

**From:** Doyle, Sheila [BOARD]

**Sent:** Monday, February 16, 2009 11:34 AM

**To:** Bonnie Campbell (campbell.law@mchsi.com); craiglangbor@ifbf.org; Downer, Robert; Gartner, Michael; Harkin, Ruth; Jack Evans (jackevans@hallperrine.org); Johnson, Greta A; Rose Vasquez (Rav118@mchsi.com)

**Cc:** 'miles.david.w@gmail.com'

**Subject:** FW: Notoriety Yields Tragedy in Iowa Sexual-Harassment Cases (Chronicle)

**Importance:** High

FYI -

<http://chronicle.com/weekly/v55/i24/24a00101.htm>

---

From the issue dated February 20, 2009

## Notoriety Yields Tragedy in Iowa Sexual-Harassment Cases

### After 2 suicides, colleagues question university's role

By ROBIN WILSON

Iowa City

Mark O. Weiger was a star oboe professor who had traveled the globe as an artistic ambassador for the U.S. government. But he was also known as the king of raunchy puns. Even when he performed for schoolchildren, the music professor from the University of Iowa couldn't resist slipping in some fart jokes.

"He liked pushing the envelope," says his close friend, Alan Huckleberry, an assistant professor of piano at Iowa.

Still, few expected it when one of Mr. Weiger's former graduate students filed a sexual-harassment lawsuit over his remarks last November. It was even more shocking when four days later, the professor went into his garage, climbed inside his car, started it up, and let carbon monoxide take his life. He was 49 years old.

Mr. Weiger's suicide came just three months after Arthur H. Miller, a noted political-science professor on the same campus, shot and killed himself following charges of sexual harassment. At first, people here called the cases a tragic coincidence. "I don't think either of these acts had anything to do with one another," says Linda Maxson, dean of liberal arts and sciences at Iowa.

It is true that the men faced very different charges. While Mr. Weiger was accused of creating a hostile

environment with foul jokes, Mr. Miller was arrested after students said he had offered them A's for letting him touch their breasts.

But the cases are connected in important ways that illustrate the significance of academic reputations and raise questions about how universities handle sexual-harassment allegations. Both men, beloved by students and standouts in their fields, watched themselves transform virtually overnight from venerated professors to suspects. Neither believed he would be able to reclaim his reputation, either in this tight college town or within his discipline. And both felt university administrators had abandoned them in the wake of the charges.

Perhaps the stakes for professors are higher than for most people in circumstances like these, maybe because professors have farther to fall. Like many academics, the Iowa professors were accustomed to being held in high acclaim, and their work meant everything to them. When that was threatened, each man felt he'd lost it all.

"He said the allegations had created so much darkness he couldn't see his way out," says S. Blake Duncan, an oboist and a minister of music who read Mr. Weiger's suicide note. "His music was his life."

### **A Sensational Case**

Sexual harassment broke into the national consciousness in 1991, when Anita Hill accused Clarence Thomas — then a nominee to the U.S. Supreme Court — of having made sexually inappropriate comments to her. The controversy spawned a flood of charges nationwide, including on college campuses. Since then colleges have tried to stem harassment with awareness programs and have created procedures to handle complaints. At the University of Iowa, students have filed 11 sexual-harassment complaints against eight professors over the last five years.

Wallace D. Loh, Iowa's provost, says the university walks a fine line when a student accuses a professor of sexual harassment. "If the question is whether we care about our faculty, I can tell you we care deeply," he says. But Mr. Loh says the university has to remain neutral when charges arise, no matter how lofty a professor's reputation. "The immediate issue before the university is sexual harassment. It is not whether that professor has an outstanding record of scholarship," he says. The university did not publicly support Mr. Weiger or Mr. Miller following the charges because the only issue, says the provost, "was alleged sexual misconduct."

Iowa isn't the only university that has struggled to handle this issue. In general, some students say institutions have failed to take their charges of sexual harassment seriously enough, while faculty members have complained that universities have not always offered them a fair hearing. "Striking the right balance takes a lot of practice, with good procedures and reasoned decision making," says Ann H. Franke, a lawyer who runs Wise Results, a consulting company that helps colleges with legal and risk-management issues. "The more unusual the charges are, the more potentially sensational the case is, and the greater the temptation may be for a university to fall off that balancing line."

The charges against Professor Miller were certainly sensational. In fact, people who knew him well say the accusations seemed so out of character that they still have trouble believing them. An undergraduate went to the campus security office last May and told an officer that Professor Miller had told her she wasn't doing well in his class on public opinion. She said he told her that if she wanted a better grade, "she would have to do something for him," according to a complaint filed with an Iowa district court. Then, said the complaint, the professor grabbed her breast and sucked on it. Later, the complaint said, Mr. Miller sent the student an e-mail message congratulating her on earning an "A-plus."

In the following week, campus security officers talked to three other young women who filed similar charges. None of them were identified by name. The image of Mr. Miller squeezing students' breasts and rewarding them with A's was a stark contrast to the well-traveled, cultured man who enjoyed fine wine and good cooking, and whose teaching had been honored by the university with a photo in the library.

"Art was a man who loved the high life," says Douglas K. Madsen, a longtime colleague in political science at Iowa. "For a sophisticated man to have made the kind of approach he is accused of making to these women is just pathetic and not the kind of thing I would have thought he'd have ever done."

### **A Top Scholar Brought Low**

Mr. Miller's academic specialty was the art of tapping public opinion. He was an expert in conducting scientific surveys, including writing good questions and selecting people to interview. Early in his career, he focused on questions about politics and government in the United States. Later he expanded his research internationally, to Norway and countries in the former Soviet Union.

Some of his work was done through the University of Iowa Social Science Institute, which he established shortly after coming here in 1985. In all, his research attracted \$2-million in federal grants.

"He'd call me up at 11 at night and ask me to do an emergency regression analysis," recalls Thomas F. Klobucar, who completed a doctorate in political science at Iowa and became one of the professor's best friends. "He was driven by his career."

Mr. Miller's home, a few miles from the campus, is full of treasures from his international travels: An Uzbek rug lies on the living-room floor, and a hard hat used by coal miners in the Ukraine sits in his home office.

Vicki L. Hesli worked with Mr. Miller for 20 years. She is the only female full professor in the political-science department and has served as its director of graduate and undergraduate studies. She would have been an obvious point of contact for any female students who felt uncomfortable with Mr. Miller. But, she says, "I never heard a complaint of any kind."

In fact, Ms. Hesli says Mr. Miller helped jump-start her own career in the male-dominated field of political science, introducing her to important players and including her in research projects. "I probably would not be where I am in the profession were it not for him," she says.

Mr. Miller's career at Iowa had been so prolific that he was ranked among the 100 most-cited political scientists in the world, according to an article his colleagues wrote after his death for an American Political Science Association journal. And although he was 66 years old, he wasn't slowing down. To stay slim, the professor rode his bike three miles to the campus and did calisthenics at home while listening to National Public Radio.

When the university first began investigating the complaints against him, Mr. Miller didn't tell anyone, not even his wife. The university's Office of Equal Opportunity and Diversity had found enough merit in the complaints that it planned to hold a formal hearing on the charges last August, says Mr. Loh, the provost. But a few weeks before the hearing, the campus police came to Mr. Miller's home, put him in handcuffs, and took him to jail. He was charged with soliciting sex for grades, a felony that can carry up to 10 years in jail.

Natasha Ivanova, Mr. Miller's widow, says her husband believed the university intended to handle the matter internally and did not realize that campus police were pursuing criminal charges independent of

the equal-opportunity office's investigation. But the university's security office says following any criminal charges in tandem with university proceedings is standard procedure. "In my experience, people may know that, but once you're handcuffed and put in back of a car, that's when reality kicks in," says Bill Searls, associate director for public safety at Iowa. Still, Mr. Searls acknowledges that at Iowa, arresting a professor is "very rare."

Three daily newspapers serve this town, and once Mr. Miller's arrest became public, the charges and his photo seemed to be everywhere. He couldn't go to the grocery store without wondering whether other shoppers had seen his picture in the paper.

The publicity was exceedingly painful for Mr. Miller. "For him, his career was his life, and after all these tremendous years, it was just over," says Ms. Ivanova, who talked to *The Chronicle* one evening at her home after the couple's two young children were in bed. Ms. Ivanova was 30 years younger than Mr. Miller and met him on one of his trips to Kiev. She moved to the United States to work at his social-science institute in 2000 and became the professor's fourth wife three years later. The couple had a son, Marcus, who is 4, and another, Lucas, who was born last April just before the charges against Mr. Miller arose.

Ms. Ivanova, who holds an M.B.A., is a feisty woman and wanted her husband to fight the charges. But she says he doubted that after all the exposure he could get a fair hearing, either on the campus or in the courts. "When people throw all this mud in the air and everyone's talking about it," she says, "he's guilty by default."

Ms. Ivanova says her husband seemed confused by the sexual-harassment charges, and while he never told her exactly what happened, she believes he was joking with the young women and they misinterpreted his actions and remarks.

Mr. Madsen says his former colleague must have panicked as news of the charges spread. The American Political Science Association's annual meeting was scheduled to be held in Boston just a few weeks after Mr. Miller's arrest. "He would have known full well the stories would circulate throughout that meeting," says Mr. Madsen. "That was a public humiliation that Art couldn't handle."

### **A 'Vendetta'?**

To some of Mr. Miller's former students and colleagues who telephoned and e-mailed him in the wake of the arrest, he complained that the sexual-harassment charges had been concocted by Iowa administrators in an attempt to get rid of him.

Mr. Miller had already had a few run-ins with Ms. Maxson, the dean. It was she who ordered an outside review of the social-science institute he ran, which determined that the institute was no longer effective and should be closed. Ms. Ivanova says the closure, in 2001, devastated her husband and led to a decline in research money. Mr. Miller made no secret of the fact that he blamed the dean for the institute's disappearance.

The relationship between the two became even more strained when Ms. Maxson rebuffed the political-science department's interest in making Mr. Miller its chairman a few years later. "The record of my interactions with Professor Miller were such that I wouldn't be able to work productively with him," the dean told *The Chronicle*.

Still, Ms. Maxson says, the idea that she or other administrators orchestrated the sexual-harassment charges against Mr. Miller is ridiculous. Tom W. Rice, chairman of the political-science department,

says he tried to reach out to the professor. "Twice, I offered him whatever help I could give him, but he never asked for anything," says Mr. Rice.

To Mr. Miller, though, the university seemed far from sympathetic. After his arrest, the university banished him from the classroom, and Sally Mason, the university's president, issued a statement saying she would not tolerate the kind of conduct Mr. Miller had been accused of. She also said the case had prompted her to make sexual-harassment -awareness training mandatory for all professors. And while she said that "every person is entitled to the presumption of innocence," she then went on to "applaud the courage of the student victims in coming forward" to charge Mr. Miller.

President Mason declined to answer questions about her statement, but Ms. Maxson defends it, saying the president had to take a tough stand because Mr. Miller had been "accused of a very serious infraction of behavioral and legal rules." To the professor, his wife, and some of his colleagues, however, it felt like the president was pronouncing him guilty before he had even had a chance to defend himself.

On the morning of August 20, Mr. Miller dropped off his 4-year-old son at a day-care center as he always did. Then he made a cellphone call to a local newspaper reporter. In that call, the professor complained that no administrators had inquired about how he was doing in the wake of the charges and that Ms. Maxson had a "vendetta" against him. Some time after the call, the professor drove to Hickory Hill Park, just a mile from his home. He left his red BMW in the parking lot with his cellphone and wallet inside and walked into the heavily wooded park with a rifle he'd purchased in June.

It took Ms. Ivanova a couple of hours that morning to realize her husband was missing. When he didn't answer his cellphone, she called the police. They staged a two-day search in the park, but it was another search-and-rescue worker who found Mr. Miller's body a few days later. The day her husband disappeared, Ms. Ivanova found an updated will he had left in their home office. With a paper clip, he had attached his credit cards, some cash, and financial records. On the will, Mr. Miller had scrawled a note saying he wanted to apologize for "the disappointment and the embarrassment" that the charges had caused his wife and children.

### **A Hot Potato**

Mark Weiger and Mr. Miller were neither colleagues nor friends, but Mr. Weiger followed the charges against the political-science professor closely. When President Mason issued the statement calling the students "victims," Mr. Weiger panicked, says Mr. Huckleberry, the piano professor who was Mr. Weiger's friend.

The oboe professor also worried the following month when the university fired its own lawyer, Marcus M. Mills, after an independent review found that the university had mishandled a female student's charge that she had been sexually assaulted by two university football players. The review said Mr. Mills was partly responsible for the missteps, but Mr. Mills has said he was a scapegoat.

To Mr. Weiger, the two high-profile cases proved that sexual harassment and assault were hot-potato issues on the campus and that the university was willing to sacrifice anyone who made the institution look bad. He wondered, his colleagues say, if after 20 years at Iowa, he would be the next to go.

He was concerned because he had himself been the subject of a June 2007 sexual-harassment complaint by a former graduate student. Melissa R. Milligan, who had been recruited by Mr. Weiger the year before to study oboe at Iowa, said the professor had frequently made inappropriate sexual remarks and jokes to her. She also complained that Mr. Weiger had insulted her and said she had watched him inappropriately touch another female student. All of that, she said, had created a hostile learning

environment and led her to leave the university after a year. Ms. Milligan wouldn't speak to *The Chronicle*, but Alison Werner Smith, her lawyer, says Ms. Milligan "expected the workplace, especially in a graduate program, to be professional."

The university investigated the charges and, according to Mr. Weiger's colleagues, concluded in the fall of 2007 that the oboe professor had indeed made inappropriate remarks. Administrators told Mr. Weiger to watch what he said and required him to undergo antiharassment training, say his colleagues. But although the university had finished its investigation, Mr. Weiger knew the case wasn't necessarily over. Ms. Milligan, who believed the university's punishment amounted to a slap on the wrist, had subsequently filed a complaint with the Iowa Civil Rights Commission. In mid-August of 2008, the commission gave Ms. Milligan a right-to-sue letter and gave her 90 days in which to file a legal complaint. Mr. Weiger was on edge last fall waiting to see if she would follow through, says Mr. Huckleberry

Ms. Milligan wasn't the first person to complain about Mr. Weiger's remarks. In 1994 a former graduate student filed a lawsuit that made accusations strikingly similar to Ms. Milligan's. The suit was dropped before it went to trial.

Mr. Weiger's friends and colleagues acknowledge that he loved to joke and quip. "Some of it was Beavis and Butthead," says Mr. Huckleberry. But he and others say that Mr. Weiger treated Ms. Milligan no differently than he did any other student and that she returned his banter with equally barbed remarks.

Elizabeth A. Young was a doctoral student in oboe and studied under Mr. Weiger a few years before Ms. Milligan arrived. "Mark did have a tendency to say off-the-wall type of stuff," says Ms. Young, an assistant professor of music at Eastern Kentucky University. "But I'm a Mormon, and I'm a very religious person, and I never found him offensive. He was clever and funny."

Mr. Weiger's former students say that he pushed them to be independent and that sometimes he could be harsh. Some believe that was the real source of Ms. Milligan's discontent.

Yet Mr. Weiger's former students and his colleagues also remember him as generous and energetic. He helped new students get situated in Iowa City, going so far as to outfit their kitchens with utensils. "He was the kind of person who was an advocate for lots and lots of different people," says Greg Morton, a bassoonist who earned a doctor of musical arts from Iowa in 1996 and remained a close friend of Mr. Weiger's. "He would make things happen for people."

In fact, it was Mr. Weiger who was responsible for evacuating the Voxman Music Building last June when the Iowa campus was hit by a historic flood. The building sits alongside the Iowa River. Mr. Weiger, who was interim director of the school last summer, gathered football players to haul percussion equipment and filing cabinets to higher floors. He offered reassurance to faculty members who were left without offices and found replacements for students whose instruments were destroyed.

"He kept morale up and was an excellent, capable, positive, can-do guy," says Alan MacVey, director of Iowa's Division of Performing Arts.

### **The Final Chapter**

On November 7, just a few days before the deadline, Ms. Milligan filed a lawsuit against both Mr. Weiger and the university in U.S. District Court. The complaint does not offer specific examples of jokes and remarks that offended her, and her lawyer would not elaborate.

Two nights after she filed suit, Mr. Weiger was having dinner at the home of Kristin Thelander, who directs Iowa's School of Music, when a reporter for the student newspaper called asking Ms. Thelander to comment. In the days that followed, there were articles in the *Chicago Tribune*, *The Des Moines Register*, and other newspapers. As for Mr. Miller, the publicity was devastating to Mr. Weiger. He was already concerned about the music school's reputation after the flood had left it homeless. Now the sexual-harassment charges, he feared, would be one more reason good oboe students might bypass Iowa. "He was one of the most famous oboists in the world, but students were transferring out because of the flood," says Mr. Huckleberry. "Then after the charges, which mother was going to send her daughter to study with him?"

Mr. Weiger had also had his sights set on an associate-provost position at Iowa and was hoping to move up through the administrative ranks. But following the sexual-harassment suit, says Mr. Huckleberry, Mr. Weiger felt "nobody was going to touch him with a 10-foot pole."

Mr. Weiger was on sabbatical at home last fall. He wasn't married and lived alone. When some colleagues had trouble getting hold of him on November 12, they called his friend Mr. Huckleberry, who had been concerned that Mr. Weiger was depressed and went right over. He found Mr. Weiger inside his car in the garage. It was out of gas, and Mr. Weiger's body was cold and rigid. Mr. Huckleberry figures the professor climbed into the vehicle sometime late the evening before.

Mr. Duncan, the minister, who played in a musical group with Mr. Weiger and went to the professor's home after his suicide, says the professor tried to take care of everything the day before he died. He paid outstanding bills and wrote nine letters of recommendation for students and mailed them out. Then he typed a three-page suicide note.

In the note, says Mr. Duncan, Mr. Weiger said he did not want his death to be taken as an admission of guilt. "But he said he felt he had lost, merely by virtue of being accused," says Mr. Duncan. "I believe he had very high personal expectations of himself and an image of himself as highly ethical. He found it really, really difficult that all of the sudden, this stuff was being said about him."

Mr. Weiger also wrote about feeling betrayed. "He really put his life and soul into the University of Iowa, and he felt they weren't supporting him as much as he'd wanted them to," says Mr. Duncan. Mr. Huckleberry says Mr. Weiger was frustrated because he had placed two calls to the university lawyer's office but no one had called him back. Carroll J. Reasoner, interim vice president for legal affairs, says that there is no record of any telephone calls but that Mr. Weiger did send an e-mail message to the office the day before his body was found, saying he was "quite distressed" and asking to speak with someone. The message bounced back an automatic reply because the person he sent it to was out of the office.

Iowa has hired some lawyers who are specialists on sexual harassment to help it rewrite its policies. Mr. Loh, the provost, wants the university to consider outsourcing its investigations of sexual harassment so "there would be increased appearance of impartiality." He also wants the university to begin revealing to students the outcomes of investigations — something the university has not done.

Ms. Milligan is still pursuing her lawsuit against the university and against Mr. Weiger's estate. She says the university should have known about Mr. Weiger's offensive behavior and stopped it. The attorney general of Iowa has filed a response on the university's behalf, saying the institution handled her complaint appropriately.

Late last month, the music school held a memorial concert for Mr. Weiger, in part to coincide with what

would have been his 50th birthday. At the service in the Iowa Memorial Union, 200 people listened to songs from Mr. Weiger's solo CD's. The school also played a recording by a quartet called the WiZARDS!, a group Mr. Weiger led and toured with for 16 years. The quartet had recently disbanded, and during his sabbatical, Mr. Weiger was putting the finishing touches on its last CD. Its tentative title: "The Final Chapter."

<http://chronicle.com>

Section: The Faculty

Volume 55, Issue 24, Page A1

[Copyright](#) © 2009 by [The Chronicle of Higher Education](#)

[Subscribe](#) | [About The Chronicle](#) | [Contact us](#) | [Terms of use](#) | [Privacy policy](#) | [Help](#)