

September 1, 2020 (as edited October 16),

On August 26, *Indiana Public Media* published a story by Emma Atkinson, [“Indiana University Investigating Professor Whose ‘Repugnant’ Tweets Caused National Backlash”](#). It said,

An Indiana University professor is once again receiving backlash for his Tweets and is under investigation and on unpaid leave from the school, according to an IU spokesperson.

...

Carney said as of the 2020-2021 school year, Rasmusen has been placed on administrative leave without pay and is not currently involved with the university. Carney also indicated that IU is investigating Rasmusen for reasons connected to his Twitter activity.

This was false and defamatory. They were saying that I was being punished for something, something so vile to deserve the penalty of suspension without pay. Suspending a tenured professor without pay is harsh, illegal unless he has been proven to have done something such as committing a crime. I am on leave without pay, but it is not suspension. More than a year before, long before the university administrators started to abuse me in November 2019 for linking on *Twitter* to a controversial anti-feminist article, I had requested leave for 2020-2021 to focus on my research. It was too soon for a sabbatical (which comes every seven years), so I offered to go on academic leave without pay for a year. I applied a year in advance because my department chairman would have to hire a visitor to replace my teaching, so I wanted to give him a year’s notice so he could start searching for one. The university approves academic leave without pay as a matter of course. It’s a wonderful deal for the university, since the professor on leave keeps on doing the research that occupies at least half a scholar’s time even while he is teaching, but they don’t have to pay him.

It is convenient for the university to try to fool people into thinking I am being punished for the crime of being conservative on *Twitter*. They take a lot of heat from the Woke for allowing a conservative to serve on the faculty, and they want to appease them. They cannot fire me, or even suspend me, because that would provoke a lawsuit they would lose. But they can pretend they suspended me, to please the progressives.

I have on file my email from August 13, 2019 asking for leave-without-pay for the 2020-2021 school year. No such status as “administrative leave” exists at Indiana University, as can be seen from the references a little way down in this document. The status “academic leave-- without pay”, on the other hand, does exist and is voluntary.

Perhaps I am making too much of this defamation. It bothered me because it seemed deliberate, and worried people I know in town. Was it a simple slip of the tongue (or the email pen) by the university spokesman? “Administrative leave” has a definite meaning in the English language, a meaning completely different from “leave without pay” and “sabbatical”.

Wiktionary says at https://en.wiktionary.org/wiki/administrative_leave:

administrative leave :

A leave of absence under unusual circumstances, especially such leave that is enforced during a disciplinary investigation.

Merriam-Webster says at

<https://www.merriam-webster.com/dictionary/administrative%20leave>:

Definition of administrative leave:

A mandatory leave of absence that is required as a matter of policy in special circumstances (such as during an investigation of possible wrongdoing)

My leave is formally called “Academic Leave-- without Pay”. The IU document says “Academics will utilize this action reason for faculty members who apply for the LWOP”. https://hr.iu.edu/SOS/Academic_FAQs.htm. For more detail, see the longer policy at <https://policies.iu.edu/policies/aca-48-leave-without-pay-academic-appointees/index.html>.

So IU and *Indiana Public Media* got it wrong.

Around midnight after the article appeared, I sent Chuck Carney and Emma Atkinson an email telling them it was false, attaching a one-page memo laying that out in great detail. I told them that they should correct it to say:

Carney said as of the 2020-2021 school year, Rasmusen has been placed on administrative leave without pay and is not currently involved with the university. [Correction, August 27: This is actually incorrect: Rasmusen voluntarily applied for academic leave without pay for 2020/2021 in August 2019 and the university granted his request, well before the start of the investigation in January 2020.]

Chuck Carney did not reply to my email. Emma Atkinson did, saying:

Thanks for reaching out. I do want to make clear that the "administrative" mix-up was an error on my part. I understand "The Tab" re-shared an old screenshot of the un-corrected story, but the story has been corrected since this morning.

Indeed, the next day, *Indiana Public Media* dropped the word “administrative from its article, and put at the bottom of the article,

CORRECTION: A previous version of this story stated that Rasmusen had been placed on administrative leave without pay. That is incorrect; Carney says Rasmusen is just on leave without pay from the university.

But the article is still false. Not only does it purposely mislead the reader into thinking the leave is disciplinary, but it retains the word “placed”, as in “placed on leave without pay”. I was not “placed” on leave: I volunteered for leave. The supposed correction just reinforces the mistake, making it clear it was on purpose, not just a slip. This is significant, because of [the way defamation law works in Indiana](#). If IU says something false that impugns a professor’s professional competence, that is [“defamation per se”](#), an especially egregious category for which it is easier to collect damages. A classic example would be if a newspaper falsely claimed someone was convicted of a crime. Also, a complicated area of defamation law is whether I am a “public figure” for purposes of a false statement such as this. If I am, then if I were to sue I would have to prove [“actual malice”](#), which means “knowing that it is false” or “acting with reckless disregard for the statement’s truth or falsity.” That is difficult to do, but it is easier if the defamer has been told that what they wrote is false, but then republish it. If I did decide to sue, [I would have two years, under Indiana law](#) before the statute of limitations ruled it out.

The night of Wednesday August 26 at 9:10 pm, the *Indiana Daily Student* published, [“Kelley professor Eric Rasmusen on unpaid leave for the academic year”](#). They did not try to contact me first.

IU has been conducting an investigation into Kelley School of Business Professor Eric Rasmusen since last fall, IU spokesperson Chuck Carney said Wednesday.

Rasmusen is on unpaid leave for this academic year, Carney said, but could not go into detail about the reason for the leave, citing it being a personnel issue.

The *Indiana Daily Student*, unlike *Indiana Public Media*, allows the public to make comments on its articles, though you cannot see them unless you search for the comment symbol and click. The first comment is mine. It says:

It would have been wise to ask me about my unpaid leave. It is, contrary to what Mr. Carney told Indiana Public Media, not "administrative leave without pay". It is "academic leave--without pay", which I requested in August 2019 for the 2020-21 school year so I could pursue writing projects. It was entirely voluntary and unrelated to the events of November 2019.

It does seem Chuck Carney changed his emphasis in talking to reporters. “Community” radio station *WFHB* posted a short piece, [“IU Professor Put on Unpaid Leave”](#), on August 28:

Indiana University Kelley School of Business Professor Eric Rasmusen has been put on unpaid leave for what IU is calling a “personal issue.”

The announcement comes after a series of sexist tweets Rasmusen made last week.

Is it fair to say that a professor asking for unpaid leave so he can pursue his writing projects has been “put on leave” for “a personal issue”? (To be fair, it may be that Chuck Carney said “personnel issue” and *WFHB*, which isn’t terribly professional, thought he didn’t know how to spell “personal issue”.)

On August 27, reporter Michael Reschke of the *Bloomington Herald-Times* contacted me asking what the real story was, since IU spokesman Chuck Carney wouldn't explain. I told him all this and sent him the one-page memo I had sent the others. On August 28, the *Herald-Times* published ["IU prof criticized for controversial tweets says unpaid leave was planned"](#).

While [media reports](#) seemed to imply an Indiana University professor's unpaid leave is related to backlash from controversial tweets, Eric Rasmusen said in a statement his time off was planned.

"I am indeed on leave without pay, but it is voluntary leave, which I applied for in August 2019 for research in the academic year 2020/2021, and which the university approved, as a matter of routine, before the events of November 2019," Rasmusen said in the statement.

...

This week Carney said in an email the IU Kelley School of Business began an investigation last year in light of Rasmusen's comments on social media to ensure that students were not subject to biased or prejudiced behavior. Carney also said he could not provide more detail regarding Rasmusen's leave.

The *Herald-Times* story gets it right. The local newspaper reporter, unlike the university public media reporter and the university student reporter, seems to have been skeptical of the university spokesman's evasions. The *Herald-Times* is far from conservative, but reporter Michael Reschke is professional.

I noticed something else interesting about our information sources when I was researching this blogpost. When I searched using Bing for the past week for "Eric Rasmusen", the false *Indiana Public Media* and the misleading *Indiana Daily Student* article show up, along with another misleading article from Kentucky's *WHAS*, ["IU Professor on Unpaid Leave amid School's Investigation into Social Media Comments"](#) (which said "An Indiana University professor already under investigation is now on unpaid leave, according to a university spokesperson"). But the correct article from what is the most traditionally reliable source of the four, the *Bloomington Herald-Times* local newspaper, did not show up. On *Google*, the *Herald-Times* article did appear—but sixth down, below the *IPM* and *IDS* articles, *Reddit* and *Medium* items, and a student letter condemning me.

This, I think, is a useful example of how universities try to deal with professors whose politics they do not like. Note, too, how from the standard playbook (this is apparent from cases involving professors at other universities) they imply something bad about an employee but then refuse to give evidence or explanation using the excuse that it's a personnel matter and they can't violate the employee's privacy. It is as if I were to announce publicly that I was asking the FBI's white-collar crime division to investigate Indiana University but unfortunately I couldn't give any further details. I, of course, would like to know what it is they are accusing me of in this investigation (which started in January), and I would not mind their telling the public, just so long as they tell me too. I expect it is so trivial that they would look foolish.