

Baylor regents drop investigation of Jaclanel McFarland_72803

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Editor

WACO-A Baylor University investigation has determined "insufficient evidence" exists to remove Jaclanel McFarland from the Texas Baptist school's board of regents.

A special investigative committee delivered that report to Baylor's regents June 16, ending two months of speculation whether McFarland, a Houston attorney, would become the first board member to be impeached in the school's 158-year history.

McFarland had been accused of telling students about an undercover drug sting on campus. She vehemently denied the accusation.

Jaclanel McFarland (center) was cleared of allegations she leaked information about a drug sting on campus. With her are husband Keith and longtime friend Susan Woodruff. (Rod Aydelotte/Waco Tribune-Herald Photo)

Baylor administrators reportedly believed she leaked word of the drug operation, which centered upon a 22-year-old undercover agent who lived in a university dorm and pledged Tau Kappa Epsilon fraternity during the 2002-03 school year. Her son Allen had been a member of the fraternity, although he was not enrolled in Baylor at the time.

The sting ended April 19 with seven arrests involving six students. Only two of the arrests resulted in felony charges-a small haul, considering the operation's scope and expense.

During their May 16 meeting, the regents created the investigative committee to look into charges against McFarland. Nine weeks later, the committee reported "reasonable cause" existed for the administration to

hire outside counsel to investigate the charges initially, for board Chairman Drayton McLane Jr. to involve the board's council in the issue and for the regents to appoint the investigative committee.

However, "the investigative committee determined to end the investigation with no further action," the regents reported in a press release distributed shortly after the 90-minute closed-door session ended. "The committee's conclusion ... that there was insufficient evidence resulted in the board's closing the matter by taking no further action against Regent Jaclanel McFarland."

Speaking to reporters a few minutes later, McFarland expressed relief at the investigative committee's findings. Then she resumed the activity that, she has maintained, got her in trouble in the first place—criticism of Baylor President Robert Sloan.

"I'm pleased and relieved and look forward to continuing my service to Baylor University as a member of the board of regents," she said, reading from a prepared statement. "As you know, the regents have some very important work ahead, and I look forward to being part of that effort.

"I will remain vigilant in my effort to do all I can to ensure that Baylor University remains one of the finest universities in the country. For now, my biggest concern is with the direction the university has taken under Robert Sloan's leadership."

Shortly after the investigation of McFarland was launched, she and some supporters suggested it was an attempt to remove her from the board of regents because of her criticism of Sloan. Sloan would not respond to that charge, citing the rules of confidentiality that governed the process.

McFarland has been one of the most vocal critics of Sloan's implementation of Baylor 2012, the university's 10-year strategy plan.

Baylor 2012 calls for the university to become a "tier one" school, meaning it would be ranked by U.S. News & World Report magazine as one of the nation's 50 best universities. Among key changes incurred by the strategy are shifting the faculty from a primary emphasis on teaching to an emphasis on research and teaching, significant expansion of campus facilities that has involved record debt and sharp increases in student tuition.

"There are a lot of good initiatives in 2012, but I believe the way it's being implemented at this time is not in the best interest of Baylor," McFarland said during an impromptu news conference.

"There are numerous reasons," she said. "I am most concerned with the disgruntlement and the distrust that the faculty has of the administration." She cited a recent faculty survey that revealed many faculty, particularly long-term tenured professors, do not trust Sloan and his administration.

"I'm also very concerned about the students," she added. "I'm concerned about the tuition and the debt level the students will have to incur to study under these faculty members.

"I think we have a leadership crisis at Baylor, and it will be up to the board of regents to decide how to handle it," she said. "I don't speak for the board; I speak only for myself."

Asked if the drug-sting investigation stemmed from an "honest mistake" or was a personal attack on her, McFarland said: "At this time, I'm not sure. We'll just have to investigate further."

McFarland declined to rule out the possibility of a defamation or libel lawsuit in the wake of the investigation and nationwide publicity that has ensued. "Those decisions haven't been made yet," she said. "We're still considering our options."

McFarland serves on the board in a slot appointed by the Baptist General Convention of Texas. Her current three-year term expires June 1, 2004. She can be nominated for another three-year term that would begin on that date, and messengers to the BGCT annual session in November will consider board nominees. "If they elect me, I'll serve," she said.

That could mean three more years of conflict with Sloan, but the Baylor president predicted the two will get along.

The relationship between Sloan and McFarland-one of his strongest supporters when he was elected president in 1995-has "historically been very good, (but) it's obviously been difficult lately," he said.

"I can understand any frustration on her part," he added. "The investigative committee affirmed that I did the things I should do. I was not involved in the investigation. I handed it over to the regents. Ms. McFarland and I have already spoken to each other. I have affirmed my commitment to work with her. She is a member in good standing on the board of regents."

Asked specifically if the two can work together, Sloan said: "I know I can, and I think she can. I think Jaclanel is a person who is very flexible, very intelligent, very adaptive, and I look forward to working with her. I believe we can do that."

The investigation was conducted according to university policy, and the committee affirmed "reasonable cause" for all the steps that were taken, Sloan stressed.

"I think we're all really grateful for the process," he noted. "The process was right. We went through the process. The process worked. I think we're all very relieved the investigative committee has come to its final conclusion-there is not sufficient evidence to pursue this matter any further."

Sloan acknowledged the episode had turned some criticism upon himself and his presidency. "You know, in a job like this, you're always going to face criticism," he said. "And frankly, I'm glad that Baylor is moving forward in such a way that Baylor has something to talk about. You have the opportunity to tell your story. You have the opportunity to present the things you are doing when people are interested.

"People love Baylor University. And the fact that people are concerned, the fact that people ask questions reflects on how much they love the university."

Despite the scrutiny caused by the McFarland investigation and criticism of Baylor 2012, Sloan asserted his future as president is not in jeopardy.

The closed session of the regents' meeting did not include a call for his termination or resignation, he said, a fact confirmed by several regents.

"My future is in God's hands," Sloan said. "I feel very confident about the support of the regents. I feel confident about the regents' support of the 10-year vision of the university. I'm confident, frankly, about the support of Baylor alumni for the 10-year vision. ... I hear it every day. I receive e-mails and letters and phone calls on a daily basis of very strong support."

In time, the regents and the Baylor community will resolve the rift created by the investigation, he predicted.

"Our regents are people of enormously good faith and Christian commitment, and they have already had very warm discussions among themselves about their personal relationships, about their commitment to Christ, about their commitment to Baylor," he said. "And I expect to see every evidence of people pulling together. People don't have to agree with one another to work together.

"When you have a 36-member board, and when you have a dynamic

university, and when you have intelligent, dynamic people like the leaders on our board, there should be some disagreement, because we want them to ask questions. They have a fiduciary responsibility to ask questions, and so I've seen that in the past. We'll continue to see that in the future.

"But you'll see people working together in a very positive way in terms of their personal relationships."

Sloan pledged to improve the situation by improving his communication skills.

"The (faculty) survey showed we need to do ... a better job of communicating with the tenured faculty," he said. "Any decent human being who is a leader ought to admit that there are things you can do better. I need to do a better job of making sure that all of our faculty know they are loved and appreciated and have tremendous contributions to make at Baylor University."

Board Chairman McLane, like several other regents, declined to discuss the details of the McFarland investigation and regents' response to the committee's report.

However, he affirmed Sloan and said improved communication will be the key to an improved climate at Baylor.

"I'm very confident in his leadership," McLane said of Sloan. "I find him very open. I've been the chairman for a year now, and I talk with him at least every month, a lot of times every week, two or three days a week. And we're talking to him about leadership and how he can better fit in the constituency of Baylor."

McLane shared Sloan's prediction that the regents can move beyond the investigation in unity. In fact, most of the regents' June 16-18 meeting was committed to discussing the intricacies of Baylor 2012 with administrators

responsible for every phase of the strategy, he said, noting administrators and regents next must communicate clearly the implications of the 10-year vision with all the school's constituencies.

"We need to take this as we go," said McLane, a Temple businessman. "We need to communicate better to the constituents, to the faculty. Dr. Sloan is very committed to that, and I'm going to work aggressively with him."

Progress will be built upon success Baylor already has enjoyed under Sloan's tenure, said regent Howie Batson, pastor of First Baptist Church in Amarillo.

Among the "great accomplishments" in the first eight years of Sloan's tenure are records for enrollment, average entrance-examination scores for freshmen, fund raising and capital projects, Batson said.

"When you take those parameters together, it is very difficult not to conclude there are some very positive things taking place at Baylor," he added.

With the implementation of Baylor 2012, the university has set "greater expectations" for itself and the faculty, he said, noting, "Those higher expectations are going to make an education at Baylor a much better product than it was 20 years ago."

In the meantime, the "Baylor family" can move beyond controversy, Batson insisted.

"I think we all can. We need to," he said. "We're all friends, and it's time to put all this behind us and move forward."

Text of Baylor regents' statement

The Investigative Committee of the Board of Regents determined there was reasonable cause for the administration to hire outside counsel to initially investigate the allegations about the conduct of a regent. The Investigative Committee determined there was reasonable cause for Chairman Drayton McLane Jr. to involve the Board Council. The Investigative Committee also determined there was reasonable cause for the Board of Regents to appoint the Investigative Committee. The Investigative Committee determined to end the investigation with no further action.

The regents received the unanimous report of its Investigative Committee. The committee's conclusion in the report that there was insufficient evidence resulted in the board's closing the matter by taking no further action against Regent Jaclanel McFarland.