

Baylor Alumni Association approves legal settlement with university

May 3, 2016

WACO—Members of the Baylor Alumni Association voted to approve a legal settlement with Baylor University, resolving a lawsuit filed in 2014. And representatives of both parties in the suit hope it ends a feud that dates back about 15 years.

The organization's charter required two-thirds support from dues-paying members for ratification of the agreement announced in early March, less than three weeks before a scheduled trial date. It received 98.5 percent support, with 3,548 voting in favor and 53 against.

"The overwhelming and enthusiastic support of so many members of the BAA demonstrates a commitment and—more importantly—a steadfast desire to move onward in our support of the university we all hold dear," said Tom Nesbitt of Austin, president of the alumni association.

Richard Willis, chair of Baylor's board of regents, called the vote "a bold step forward," saying the association's members approved "a forward-looking agreement that brings all legal differences to a unified conclusion and, more importantly, strengthens scholarship support for Baylor students and engagement with all alumni."

Alumni association receives \$2 million

The Baylor Alumni Association received \$2 million from the university, to be used in any way that advances the organization's charitable purposes. In exchange, the association waives its rights to a replacement for the

Hughes-Dillard Alumni Center, the organization's home from 1978 to 2013.

Baylor demolished the building as part of the McLane Stadium construction project, to clear a plaza leading to the pedestrian bridge that connects the main campus to the stadium.

According to other terms of the settlement:

- The university will continue to operate the outreach, events and engagement programs of its in-house Baylor Alumni Network.
- The Baylor Alumni Association will remain an independent nonprofit entity and change its name to the Baylor Line Foundation.
- The renamed association will continue to publish the *Baylor Line* with editorial and operational independence.
- The Baylor Line Foundation will focus its fund-raising efforts on student scholarship programs and will sponsor activities and events that support its membership and purpose.
- Three alumni-elected representatives will serve on the university's board of regents.

At its May meeting, the board of regents will consider Don Chapman of Dallas, Wayne Fisher of Houston and Julie Hermansen Turner of Dallas as the first alumni representatives. When their terms expire, Baylor alumni will be invited to participate in open elections to determine their representatives on the board.

"The board looks forward to welcoming future alumni-elected regents whose additional diverse perspectives as members of the Baylor family will enrich and inform the work of the university," Willis said.

Decade and a half of discord

Tension developed between the independent Baylor Alumni Association and Baylor University's administration and regents during the latter years of

Robert Sloan's time as university president—particularly after Baylor created its own alumni relations network and launched its own magazine in June 2002.

The relationship continued to degenerate when the alumni association accused the university of blocking its access to graduating seniors and minimizing its presence at Baylor functions. The university, in turn, asserted the association related to an increasingly small percentage of alumni and failed to provide the expected level of support for Baylor.

In September 2013, alumni association members voted on an agreement that would have disbanded the organization, turning over all alumni-relations activities to Baylor and creating the Baylor Line Corporation as a separate entity. The measure failed to receive the required two-thirds majority vote.

About three months later, the university sought to cut off its licensing agreement with the alumni association. The school's lead attorney subsequently sent a letter demanding the Baylor Alumni Association "cease and desist" using the school's licensed trademarks.

On June 6, 2014, the university filed suit against the alumni association. In turn, the alumni association filed a counterclaim, asserting Baylor breached its license and recognition agreements and its promise to provide the alumni association a building.

'A clear path forward'

Officials expressed their hope the legal settlement will allow both the university and members of the alumni association to put the past behind and move forward.

"The BAA membership has come together in a unified effort to strengthen relationships among all members of the Baylor family and with a firm

commitment to support students who, as future Baylor alumni, remain actively connected and engaged with their alma mater,” Baylor President Ken Starr said.

“We are deeply grateful for the dedicated servant-leaders who—motivated by a unity of purpose and a deep and abiding love for Baylor University—worked diligently and thoughtfully to provide a clear path forward to serve the best interests of Baylor students and alumni worldwide.”