

Baylor president voices confidence in Pepper Hamilton probe

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WACO—Baylor University President Linda Livingstone responded to charges former Athletic Director Ian McCaw made in a deposition by voicing confidence in the Pepper Hamilton investigation into sexual violence at the university.

“We’re very confident the facts in those situations have not changed and that the decisions that the board made at the time those facts were released were the right decisions,” Livingstone said in a news conference following the Baylor board of regents’ July 20 meeting.

“We stand by those decisions as an institution, and we also feel very good about the ongoing work that the university has done to implement the recommendations that came out of the work of Pepper Hamilton,” said Livingstone, who recently completed her first year as Baylor’s president.

‘At a completely different place now’

Attorneys who at the time were associated with the Philadelphia-based Pepper Hamilton law firm offered 105 [recommendations](#) as part of their presentation to Baylor regents more than two years ago.

Livingstone praised the attorneys who conducted the investigation as “two of the most highly regarded and respected experts in the country” regarding Title IX compliance and issues of sexual assault at universities.

After implementing all the attorneys’ recommendations, Baylor is “at a

completely different place now than where we were four years ago,” she said.

After the board of regents concluded their July meeting, Livingstone and Joel Allison, chair of the board, fielded several questions from the news media related to a [June 19 deposition](#) in which McCaw asserted some regents scapegoated African-American football players to cover up university-wide failures regarding sexual violence.

“I think the regents have intentionally set the football program on fire to deflect attention away from their own failures and the other failures across campus,” McCaw said in the deposition.

Attorneys interviewed McCaw in connection with a federal civil case brought by alleged sexual assault victims who are suing Baylor for discrimination under Title IX laws.

McCaw accused some regents of conspiring to create an “elaborate plan that essentially scapegoated the black football players and the football program for being responsible for what was a decades-long, university-wide sexual assault scandal.”

He asserted the Pepper Hamilton investigation—and the way the regents reported its findings—focused on “a very small percentage of the sexual assaults involving black football players, at the exclusion of the vast majority of sexual assaults that involved other students at Baylor.”

‘No place for racism in this university’

Allison particularly disputed McCaw’s “serious allegations” that racism factored into board actions at the time of the Pepper Hamilton investigation.



“There’s no place for racism in this university, and I have not personally seen it or witnessed it,” Joel Allison, chair of the Baylor University board of regents said. (Photo / Baylor University)

“I don’t see them substantiated by facts. That’s not been my experience as a board member,” he said.

“I think we have to understand as we move forward that’s not Baylor, and talking about racism, that’s serious,” Allison said, adding Baylor is “one of the most diverse universities in the Big 12.”

“There’s no place for racism in this university, and I have not personally seen it or witnessed it,” he said.

Investigations by the NCAA and the U.S. Education Department’s Office of Civil Rights remain ongoing, and Livingstone noted the university has not been informed when they will be completed.

When asked if the recent allegations and continuing investigations will hurt Baylor's fund-raising efforts, Livingstone said alumni and donors continue to support the university and want to help "move the institution forward."

"We're confident that our community understands where we are now versus where we were a few years ago—how different we are," she said. "And they're ready to come around us and support us."

In June, [Baylor announced](#) giving to the university in Livingstone's first year in office as president exceeded \$113 million. It marked the seventh consecutive year Baylor surpassed the \$100 million benchmark in fund-raising and was a 12 percent increase over the previous year.

During their meeting and the retreat that preceded it, regents:

- Approved \$1.24 million from gifts to the Baylor Law School to renovate the Umphrey Law Center and Sandra Wallace Courtyard.
- Authorized a 4 percent increase in tuition for the 2019-20 academic year, setting tuition at \$42,842 and the general student fee at \$4,522.
- Welcomed six new members—student regent Malcolm Foley, a doctoral candidate from Rockville, Md.; alumni-elected regents Katie Joe Baumgardner Lunningham from Atlanta, Ga., and Gordon Wilkerson of Lubbock; BGCT-appointed regent Rene Maciel, missions pastor at First Woodway Baptist Church in Waco; and at-large regents Michael McFarland of Crowley and Todd Reppert of Houston.
- Listened to several panel discussions, including one on unique challenges faced by Christian universities, featuring Andy Benton, president of Pepperdine University; Andy Westmoreland, president of Samford University; and Shirley Hoogstra, president of the

Council for Christian Colleges and Universities.