

Three former students sue Baylor, alleging sexual assault

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WACO—Three women filed a federal lawsuit June 15 against Baylor University, alleging they were sexually assaulted on or near campus.

The [suit](#), filed in U.S. District Court, identifies the women simply as Jane Doe 1, 2 and 3.

It accuses Baylor of a “deliberately indifferent response to three events of student-on-student sexual assault and subsequent sex-based harassment.”

The lawsuit alleges violations of Title IX—the law that prohibits sexual discrimination, including sexual harassment or assault—in educational institutions that receive federal funds, as well as the Clery Act, which requires universities to keep and disclose information about crime on or near their campuses.

University issues response

In response, Baylor issued a statement: “Due to the deeply personal and sensitive nature of individual cases and federal law, we do not publicly address specific cases, even when a student publicly shares details or reports of his or her own experience. This safeguard also helps assure other students that their right to confidentiality will be protected. The decision to report to the university or other authorities is a brave and personal choice and occurs on the student’s timetable. We’re committed to and have already begun to implement changes in order to provide a safe and supportive environment for students and faculty.”

Jane Doe 1

One of the women who filed suit asserts her assailant was a Baylor Bears football player, who sexually assaulted her April 26, 2014, at a university-owned apartment complex. According to the suit, she reported the assault two days after it occurred to a university physician who misinformed her about her legal rights. She also reported the alleged assault later to the Baylor advocacy center, but the university failed to act.

Due to the “heavy anxiety and depression” she experienced, she struggled academically and lost her scholarships. She eventually left Baylor with “substantial student debt with little academic credit to show for it,” the suit states.

Jane Doe 2

The second woman who joined the suit asserted she was sexually assaulted Sept. 4, 2004, at a house near the Baylor campus. At the time, she was under age 18.

She reported it to the chaplain and hall director in the dormitory where she lived. She also reported it to the Baylor Police Department, but the suit alleges the officer involved failed to include important facts in the report. The Baylor Health Center performed a physical examination but did not prepare a rape kit.

A Baylor dean who learned about the alleged assault encouraged the assault survivor to withdraw from the university, given the academic struggles that followed, the suit asserts. After she was suspended from the university and lost her scholarships and financial aid, she moved out of state in 2008.

Last year, she returned to Baylor to resume her studies but was denied grade forgiveness for the courses she failed after the alleged assault. She currently is suspended from Baylor.

Jane Doe 3

The third woman who joined the lawsuit asserted she was sexually harassed and assaulted starting in the fall of 2013 and continuing through December, 2015. At the time, she and the alleged assailant both worked in the university dormitories, where the assault occurred.

She reported the assaults to Baylor's counseling center and health center and eventually informed the Baylor Police Department. The case remains open.

The suit asserts all three women "have suffered and continue to suffer untold psychological damage, profound emotional distress, permanent loss of standing in their community and damage to their reputations, and their future relationships have been negatively affected."

In the past year, multiple women have announced publicly they were assaulted as students at Baylor, and they asserted the university failed to adequately address their claims.

Pepper Hamilton notes 'fundamental failure'

Last September, Baylor's board of regents [hired Pepper Hamilton](#), a Philadelphia law firm, to investigate the university's response to reports of sexual violence.

Last month, they received a "[comprehensive briefing](#)" from Pepper Hamilton. The firm's investigation revealed a "fundamental failure" by Baylor to implement Title IX and the Violence Against Women Reauthorization Act of 2013, according to a 13-page "[Findings of Fact](#)" document the regents released.

Regents make personnel changes

As a [result](#), Baylor's board of regents demoted then-President Ken Starr,

who subsequently also stepped down from his position as chancellor. The board also suspended “with intent to terminate” Head Football Coach Art Briles and sanctioned Athletic Director Ian McCaw, who resigned a few days later.

In addition to the “Findings of Fact” document, Baylor regents also released a 10-page set of [recommendations](#) from Pepper Hamilton.

Baylor implements recommendations

The university already has implemented some of the recommendations, and it will implement them all, [Interim President David Garland said](#).

Baylor put into place 10 broad-based implementation teams to address Title IX protocols and policies, athletics, engagement and education, centralized reporting and resolution, public safety, counseling, advocacy and other issues. They involve faculty, staff, administrators and students, Garland said.

Reagan Ramsower, senior vice president for operations and chief financial officer, heads a sexual assault task force, and Provost Greg Jones leads an initiative focused on spiritual life, Christian character formation and creating a caring culture.

Cases involve high-profile football players

Baylor’s regents hired Pepper Hamilton last year to conduct an independent external investigation soon after Sam Ukwuachu, a former Baylor Bears football player, was convicted and received a 180-day jail sentence and 10 years’ probation for sexual assault.

The assault, reported by a then-18-year-old soccer player, occurred in October 2013—about five months after Ukwuachu transferred to Baylor from Boise State, where he was dropped from the football team after an

earlier act of violence involving a female student.

Two years ago, defensive end Tevin Elliot was convicted of sexual assault and sentenced to the maximum of 20 years in prison.

In March, a former Baylor student who reported Elliott raped her [filed a lawsuit](#) asserting multiple Title IX violations and negligence. The [suit](#) names Baylor's board of regents, Briles and McCaw as defendants.

Multiple news sources reported several major donors to Baylor pressured regents to [consider reinstating Briles](#) after a one-year suspension. Regents met June 13 but [did not vote](#) on Briles' employment, a Baylor spokesperson told several news outlets.

To read more of the Baptist Standard's coverage of Baylor University's handling of campus sexual violence, [click here](#).