



Final Transcript

Baylor University Board of Regents

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SPEAKERS

Karen Kemp, Baylor University Communications
Richard Willis, Chair, Baylor University Board of Regents
Ron Murff, Chair-elect, Baylor University Board of Regents
David Harper, Member, Baylor University Board of Regents
Gina Smith, Partner, Pepper Hamilton, LLP

PRESENTATION

Moderator Ladies and gentlemen, thank you for standing by. Welcome to the Baylor University Board of Regents conference call. At this time, all participants are in a listen-only mode. Later, we will conduct a question and answer session. Instructions will be given at that time. As a reminder, this conference is being recorded.

I would now like to turn the conference over to your host, Karen Kemp of Baylor Communications. Please go ahead.

Karen Hello, everyone. Thank you for your patience. We gave you a little extra time to get some folks that we knew were going to join us. We're glad you did join us today.

I'm here with three Baylor Board of Regents, Richard Willis, who is Chairman of the Board of Regents; Ron Murff, who is Chair-Elect for the Board of Regents; David Harper, who is a member of the Board of Regents. Also joining us is Gina Smith, who is a partner with Pepper Hamilton, LLP.

They're going to share an overview of the news that was released today and then we will open up for questions. As the operator mentioned, she'll come back in and tell you all how to queue up for that question period.

Thank you, again, for joining us and I'll turn it over to Richard.

Richard Good afternoon. I want to start by expressing that we're deeply sorrowful about these events. We were, honestly, we were just horrified by the extent of the acts of sexual violence on our campus and that the investigation revealed the university's mishandling of reports in what

should have been a supportive, responsive, and caring environment for our students. It wasn't.

The depth of these acts also shocked us [audio disruption] deserve more. We've committed our full attention, all of us at the university, to improving our process, establishing accountability, and ensuring appropriate actions are taken to support [audio disruption].

[AUDIO DISRUPTION FROM A POWER OUTAGE DURING THE CALL]

Richard

Hi, everybody. We apologize. We've got some storms in central Texas and the power went out. I was talking about the personnel changes that we've made. First, Ken Starr is no longer President. He remains Chancellor and he's a professor at the University's law school.

David Garland, who was Interim President from 2008 to 2010 and also the Dean of our Truett Theological Seminary, is returning to be Interim President as well.

Art Briles has been suspended with intent to terminate according to his contractual procedures. Athletic Director Ian McCaw has been sanctioned

and placed on probation. There are other people who have been terminated and placed on probation, but we won't announce them at this time.

The university also made contact with the NCAA to initially discuss potential infractions and offer full cooperation. We've also contacted the Big 12. Pepper Hamilton provided us with the recommendations to address our deficiencies and our process failures. They're outlined in the recommendations document that's available online. The board unanimously approved all of the recommendations.

Some of the areas with the recommendations for improvement were remedial and restorative remedies, improvements, and enhanced support related to Title IX. There was a wide range of changes that will be implemented to our athletics policies and procedures. Engagement in education, we need to have mandatory annual training for all our students, faculties, employees, and contractors with additional trauma-informed training for implementers, investigators, and adjudicators.

We need to have centralized reporting and resolution, continue to have improvements to our public safety department, and supportive improvements of our counseling services.

Ron

This is Ron Murff. I'd just like to add a couple of things, specifically to say that we, as the governing board of this university, offer our apologies to the many who sought help from Baylor. We are deeply sorry for the harm that survivors have endured and for their bravery for coming forward.

Baylor's mission is to educate men and women for worldwide leadership and service by integrating academic excellence and Christian commitment within a caring community, and that remains our primary imperative.

Key findings of the investigation reflect fundamental failure by Baylor to implement Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013, also known as VAWA.

A summary of the Findings of Fact are as follows. The university student conduct processes were wholly inadequate to consistently provide a

prompt and equitable response for what was required under Title IX.

Actions by university administrators directly discouraged some complainants from reporting or participating in student conduct processes.

In addition to broader university failings, Pepper Hamilton found specific failings within both the football program and the athletics department leadership. There are significant concerns about the tone and culture within Baylor's football program as it relates to accountability for all forms of athlete misconduct.

Over the course of their review, Pepper Hamilton investigated the university's response to reports of a sexual assault involving multiple football players.

David

This is David Harper. Let me just add that we believe these Findings of Fact are forthright, and they're critical for us to rebuild trust in Baylor University. The board was adamant that Pepper Hamilton's findings and recommendations be shared with the community with as much detail as possible, and we feel like we have accomplished that.

Gina

This is Gina Smith. I just wanted to take a moment to speak a little bit about the review. Over the last several months we conducted this review in a painstakingly detailed, thorough, and rigorous manner.

We had unfettered access to Baylor faculty, staff, and administration. We also got to speak with students who have been impacted by these forms of interpersonal violence including sexual assault, domestic violence, and dating violence.

Over the course of these last nine months, we examined more than a million documents, anything from correspondence, to interviews, to reports. The experiences of students impacted by this played a significant role in this investigation and to the university's response.

While those experiences of the students informed the findings, the details of individual cases are not going to be shared and will not be referenced in any document. But, the overview of the findings that have been released by the board gives the gravamen and the salient findings that we presented in the thorough, comprehensive briefing that the board received over the month of May.

- Karen Thank you, all, for your comments. We're going to move now into an open line for questions, and our operator will inform the media how to queue up for those questions.
- Moderator (Operator instructions.) Our first question is from Vicki Lorenz. Please go head, your line is open.
- Nikki (caller) Hi, it's actually Nikki Laurenzo from KCEN TV here in Waco, Texas. My first question is, I was told by a couple of victims that, alleged victims that they did in fact meet with President Starr about the alleged assaults. I was wondering why was Starr not removed along with Briles.
- Richard We have higher expectations for what makes leadership strong at Baylor. We just feel like Baylor deserves more and we expect more from—we're getting some feedback.
- Nikki (caller) We are too, on our end. Can you just start over on that why the decision was made for Starr to remain as Chancellor, but not as President?
- Richard We don't talk about individual people. It's just inappropriate to do that. Again, we just have higher expectations for people and their leadership.

Nikki (caller) You also said the Pepper Hamilton report found specific failings within the football program and athletic department leadership. Doesn't that leadership include people like Phil Bennett?

Richard There was nothing that we haven't—in what we have read or been shown by Pepper Hamilton that had anything specific for Phil.

Nikki (caller) Any details on the Ian McCaw suspension, how long that will be?

Richard Again, we don't talk about people and their individual circumstances.

Moderator Our next one is from Chuck Carlton with *Dallas Morning News*. Please go ahead.

Chuck (caller) For the regents,I was curious as to what the timeline, obviously, the Art Briles situation still unfolding, moving toward termination. But, with Phil Bennett reportedly as the interim football coach, one, can you confirm that; and, two, what's the timeline if you discussed it at all for possibly naming or doing a search for a new football coach. And, who would be involved in that process with Ian McCaw facing sanctions?

M Ian McCaw is working through all those issues with the football coaches and as soon as we've had a decision made we will announce it. But, we don't have anything today to cover.

Moderator Our next one is Jessica Luther with Texas Monthly, please go ahead.

Jessica (caller) Hi. This is Jessica Luther from *Texas Monthly*. What was the role of Baylor's police department and the failings that you all found? And, will there be any changes with the police department following this Pepper Hamilton report?

David This is David Harper. With respect to the police department and all of our departments, Pepper Hamilton helped pinpoint where our processes for responding to acts like this interpersonal violence are strong, and where we failed, and most importantly, where we need to improve. They gave us a frank and candid assessment that addresses our past practices including in our police department and they've offered us forward-looking recommendations which I know [indiscernible] and I would refer you to those.

I would say that what we learned overall, we were shocked. It made us angry, sad, and very humble. We had an institutional lack of comprehension on the depth of these issues and we see that now. It made the Findings of Fact available and those findings helped inform many of our decisions. I'd refer you to our recommendations that cover all [indiscernible].

Moderator Our next one is from L.P. Phillips with CBS Radio Dallas.

L. P. (caller) I want to hold your feet a little bit closer to the fire on the whole business of why Ken Starr is still there, because when you say higher standards, one would say okay, if you're looking for higher standards you'd get rid of the guy. Why is he still there and how does that justify higher standards?

Richard He's always had the position of chancellor and we felt appropriate action was to take away the presidency and all his operating responsibilities. So, he no longer has any operating responsibilities within the university.

L. P. (caller) Okay, why not take the chancellor away from him too if he was that responsible?

David This is David Harper. What I'd say about what he's going to do as chancellor, is that's an external focus role. As Richard said, his operational responsibilities have been removed and that role would tend to be centered around development and religious liberty.

L. P. (caller) I'm still not sure I understand your question. If you're a Christian university, you've got a guy who's the head of the whole thing, he's in charge of the whole university, as chancellor, should he not go too?

Richard Again, when we talked about the leadership issue, and we hold to higher standards, that's why we took away the presidency and all operating responsibilities.

David His role now would be external only.

Moderator Our next question is from David Tarrant with *Dallas Morning News*. Please go ahead.

David T. (caller) Chairman Willis, has Ken Starr agreed to this decision or is he still trying to decide whether he's going to agree to this?

Ron As we mentioned in the press release, it was specific that it said we have an agreement in principal that he will serve, continue to serve as chancellor. Again, reiterate that he already had that position, but we have an agreement that he would continue to serve as chancellor. We do have a few contractual comments that we're still trying to work through with him and we expect to get that done shortly.

David T. (caller) When did you make this decision with him?

Richard We don't talk about timing about anything. But, it—this is Rich Willis, that was Ron Murff. We also note that he's a tenured professor at our law school.

David T. (caller) Yes, and how long are you giving yourself to find a new President?
What's your timetable on that?

Richard We don't really have a specific timetable. We've not thought about starting the search at this point in time. We're trying to get through the issues that we're dealing with and talking to you guys about today.

Our primary objective is to make sure that the actions that we've taken today reaffirm our values and priorities. We hope that comes through. At the appropriate time, we will start the search and be prudent about that.

Karen Alright, Kelsey, we'll take maybe one or two more calls.

Moderator Sounds good. The next one is from Phillip Ericksen with *Waco Tribune*. Please go ahead, your line is open.

Phillip (caller) How many total employees at Baylor are losing their jobs over this, and how many in the athletics department, and how many administrators?

M We're not giving that information out.

Phillip (caller) Okay. What about new leadership positions that will be filled. What kind of positions will those be?

M I think the most significant one is the Chief Compliance Officer. The Chief Compliance Officer will report directly to the president.

Phillip (caller) And, the Title IX office, are there expansions there?

M If you look at the last six months, we've made significant improvements in the funding and the resourcing of what we've done in Title IX. It's important, I think, that everybody realizes as a board, back in February, we voted that we have unlimited resources to take care of any of the Title IX issues.

So, we're not talking about how much anything costs, or how many people we need. We'll do everything we need to do and the board has approved, again, unlimited resources to staff and house Title IX.

Karen Okay, Kelsey, let's go with one more question.

Moderator Sounds good. The last one is Leslie Eaton with *Dallas Morning News*. Please go ahead.

Leslie (caller) Hi. I was wondering what you are saying, what you would say to all these young women who were victims during the course of the last few years.

M I'd repeat what we said earlier. We feel very sorry, [we] feel for these victims. It's awful what they've had to endure, what they've gone

through. Quite often, our response was not proper. We recognize that it was extremely brave of them to talk about these items or these issues that happened in their lives, the very significant issues that happened in their lives. Our thoughts are with them. They've had some difficult issues to deal with and we are sorry that it's happened and that we did not respond the best we could.

Karen Alright, everyone. Thank you so much for joining us this afternoon. We really appreciate your time.

Moderator That does conclude our conference for today. Thank you for your participation and for using AT&T. You may disconnect.

Calls received from the following:

- Nikki Laurenzo, KCEN TV (NBC) Waco
- Chuck Carlton, Dallas Morning News
- Jessica Luther, Texas Monthly
- L.P. Phillips, CBS Radio Dallas
- David Tarrant, Dallas Morning News
- Phillip Ericksen, Waco Tribune

- Leslie Eaton, Dallas Morning News