



General Counsel for Eastern Michigan University Disciplined

By Brooke Heath

In July, Eastern Michigan University General Counsel Kenneth McKanders, along with three other school officials, was reprimanded for failing to comply with the Clery Act during an incident on campus last December. While McKanders was merely disciplined, the school's president was fired, and the vice president and security chief gave notice for "separations," according to [Law.com](#).

The action taken against McKanders and the other employees by the school's board of regents was in regard to the rape and murder of EMU student Laura Dickinson. At the time Dickinson was found in her dorm room, the EMU officials in question did not properly alert the campus of the potential danger. In fact, according to documents filed against Eastern Michigan University by Security on Campus Inc. and the Department of Education, the school officials attempted to cover up the incident, declaring in a public statement one day after finding the student's body that there was "no reason to suspect foul play," while evidence indicated that Dickinson had been sexually assaulted and smothered.

The school officials never changed their initial statement, even after fellow EMU student Orange Taylor III was identified by the school's security office as the prime suspect in the case. Students and the public didn't learn the truth until almost two and a half months later, when Taylor was arrested by police and charged with rape and murder on February 23.

According to the Clery Act, signed by President Bush in 1990, all U.S. colleges and universities that participate in federal financial aid programs must disclose information about any crimes that take place on or near their campuses as well as issue "timely warnings" in order to protect students from potential danger.

The regents declared that the school officials failed to provide timely warnings two weeks after the investigation by the U.S. Department of Education declared that the school did not follow the federal act when dealing with the death of Dickinson. The regents declared that there was a "systemic failure" on the part of the officials to comply with the Clery Act, according to [Law.com](#).

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Experts claim that this incident involving EMU's general counsel should be an example for other general counsel. According to [Law.com](#), Alice Vachss, a former sex crimes prosecutor in New York, said the school's policies and procedures were inadequate to deal with campus violence. She added that "too often, GCs sit passively on the sidelines until someone specifically asks for their advice."

On the Net

Complaint of Non-Compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

www.emuprofessors.org/files/emucomplaint.pdf

Security on Campus Inc.: Complying with the Jeanne Clery Act

www.securityoncampus.org/schools/cleryact

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