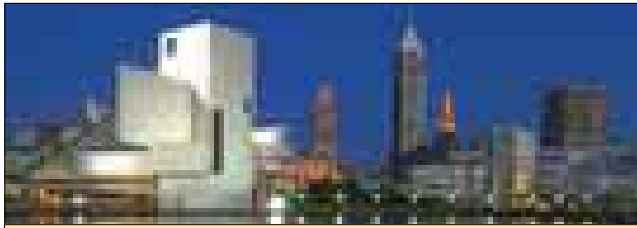




ClevELAnd will be rocking for ELA's 64th Annual Conference

November 7-10, 2018 – Downtown Marriott Key Center, Cleveland, Ohio



Join with us for key networking and learning opportunities just blocks from the world-famous Rock 'n Roll Hall of Fame this November.

Benefit from the expertise of the presenters leading dozens of concurrent breakout sessions during the main conference, Thursday through Saturday morning. Wednesday afternoon, November 7, is the preconference plus orientation events. Two new post-conference sessions will be held Saturday afternoon.

The conference hotel has just completed a major renovation, reflecting the recent transformation of this exciting city.



Featured speakers are (left) famed First Amendment advocate Mary Beth Tinker; (center) school safety and security expert Kenneth Trump; and (right) Mark Walsh, presenting the annual Supreme Court Update

- **Update your legal literacy**
- **Make valuable contacts**
- **Enjoy social events**
- **Get more involved with ELA**

Why you should be part of this annual conference

ELA conference participants represent a diverse constituency of law and education professors, attorneys, school administrators, consultants, graduate students, government employees, and top authors on education law. This spectrum allows you to benefit from face-to-face meetings with people offering a wide range of perspectives on the subjects important to your knowledge base.

"Being surrounded by so many bright scholars, attorneys and administrators who share a passion for education law has played a significant role in my professional development and will continue to serve this role for many years to come," said a recent conference attendee.

Attorneys can earn valuable end-of-year CLE credits in one place, for a very reasonable cost. Non-attorney registrants may receive certificates of attendance.

Reserve your hotel room at the Marriott for the special group rate of \$159 per night through October 19, or when the room block is full. Visit: <https://tinyurl.com/https-ELA2018Marriott-com>

Register before September 1 and save \$25. Check our website at www.educationlaw.org for regular conference updates.

What you can do now ...

- Submit your registration (save \$25 before September 1) and make your hotel reservations at the group rate.
- Encourage your students and/or peers to attend the conference, and finalize plans to present a poster session or roundtable. See requirements online (deadline for poster and roundtable submission is July 15).
- Consider sponsorship/advertising opportunities, or donating raffle and auction items.



2018 ELA Conference Schedule as of July 1

Wednesday | November 7 Preconference

8:00 A.M. – 5:00 P.M.	Preconference Registration (Registration for regular conference opens at 11:00 a.m.)
1:00 P.M. – 4:15 P.M.	Preconference Seminar – Legal Ethics, Attorney CLE
1:00 P.M. – 3:45 P.M.	Preconference Seminar – Special Education: Focus on Online Curriculum
1:30 P.M. – 4:00 P.M.	ELA Board of Directors Meeting
4:30 P.M. – 5:00 P.M.	Orientation for First-Time Conference Attendees
5:30 P.M. – 6:30 P.M.	Early Arrival Reception

Thursday | November 8 Main Conference

7:30 A.M. – 5:00 P.M.	Registration
8:00 A.M. – 9:45 A.M.	Welcome to Conference, Feature Session A – Kenneth Trump – with Continental Breakfast
9:55 A.M. – 11:10 A.M.	Concurrent Sessions B
11:20 A.M. – 12:35 P.M.	Concurrent Sessions C
12:45 P.M. – 2:00 P.M.	Appreciation Luncheon: Recognition, Awards, Elections, and Organization Business
2:10 P.M. – 3:25 P.M.	Concurrent Sessions D
3:35 P.M. – 4:50 P.M.	Concurrent Sessions E
5:00 P.M. – 5:30 P.M.	Committee Meetings
5:30 P.M. – 6:30 P.M.	Poster Session & Reception (guest tickets for sale)

Friday | November 9 Main Conference

7:30 A.M. – 4:30 P.M.	Registration
8:00 A.M. – 8:30 A.M.	Continental Breakfast
8:30 A.M. – 9:45 A.M.	Concurrent Sessions F
9:55 A.M. – 11:10 P.M.	Concurrent Sessions G
11:20 A.M. – 12:35 P.M.	Concurrent Sessions H
12:35 P.M. – 2:00 P.M.	Lunch Break (on your own)
2:00 P.M. – 4:30 P.M.	Feature Session I – Mary Beth Tinker – Followed by Reception and Silent Auction
5:30 P.M. – 7:00 P.M.	ELA Board of Directors Meeting

Saturday | November 10 Main Conference and Post-Conference

8:00 A.M. – 2:00 P.M.	Registration
8:30 A.M. – 9:45 A.M.	Roundtables
10:00 A.M. – 11:30 A.M.	Feature Session J with Brunch – Supreme Court Update by Mark Walsh – Closing Remarks
11:45 A.M. – 1:30 P.M.	ELA Board of Directors Meeting
12:00 P.M. – 2:15 P.M.	Post-conference: Overview of School Law for TFA and All Teachers
12:00 P.M. – 2:15 P.M.	Post-conference: Social Media Opportunities & Overcoming Online Challenges in PK-20 Educational Settings



2018 Conference Presentations



Note —

Your name can appear on the list below if you submit an accepted roundtable or poster session proposal by the deadline of July 15.

See session times and full schedule on the back page. Presentations listed below are subject to change. Check our website regularly for updates.

#	Presenter Name(s)	Presentation Title	Description
Wednesday, November 7			
PreC1	Mercy Roberg	Legal Ethics (\$75)	
PreC2		Special Education: Focus on Online Curriculum (\$75)	
Thursday, November 8			
A	Kenneth Trump	FEATURE 1	School Safety & Security
B1	Diane M. Holben, Perry A. Zirkel	Bullying of Students With Disabilities: An Empirical Analysis of the Case Law	Frequency and outcomes for bullying-related litigation initiated by student plaintiffs with disabilities
B2-1	Daniel A. DeCino, Stephen Seedorf	Legal Preparedness in Education: An Exploration of Administrators' Perceptions	Results from a recent research study examining school administrators' perceptions of legal preparedness in public schools.
B2-2	William J. Glenn, James Patrick	Virginia Athletic Directors' Knowledge of School Law	How well ADs know the law in areas pertaining to the activities they supervise, and factors that predict better legal knowledge.
B3-1	Gretchen Oltman, Jeanne Surface	Dissertations Gone Wrong: Legal & Educational Issues in Dissertation Completion	Litigation by students with unfinished dissertations and strategies to help students succeed in the doctoral process.
B3-2	Tiffany Puckett, Ellyse Weatherly	Who's Dating Whom? Power and Relationships in Higher Education – Title IX Policies	Study of Title IX policies at research-intensive universities -- Do the systems allow consensual faculty-student relationships?
B4-1	B. Glen Epley	Snake Pit or Prudent Policy? State-Created Dangers Doctrine Applied to Public Schools	Federal court decisions that apply "state-created danger" doctrine to schools; unintended exposure to liability from arming teachers.
B4-2	Luke Cornelius, Jacob Skousen, Spencer Weiler, R. Craig Wood	School Districts & States that Authorize Arming Educators: Legal & Policy Analysis	Panel exploring the experiences of school districts authorizing educators to carry weapons, analysis of legal & policy implications
B5	Jacob Durrance, Meaghan McKenna, Steve Permuth, Adam Rea, Dustin Robinson, Eric Turner	Religion & Public Schools: Meaning of the Johnson and Blaine Amendments in the future of religious practices	History of the Blaine and Johnson Amendments and the meaning of their existence or nonexistence to religious practices in public schools.
B6-1	Lynn M. Daggett	Another Look at Educational Malpractice Claims	Do recent developments in education warrant reconsideration of adoption of a claim for educational malpractice?
B6-2	Craig W. De Voto	The ESSA and educational leadership: Are states using the new law's flexibility?	What states are proposing under ESSA regarding education leadership reform; extent to which they use the law's intended flexibility.
C1-1	Margaret A. Noe, David Stader	Effective Strategies for Teaching Online School Law Courses	Discussion of issues relating to the conversion of a typical lecture course in school law into an online course
C1-2	Maureen Hendricks Fox, Elisabeth M. Krimbill	A Tale of Two Cities: Two Campuses Face Similar Challenges with Legal Literacy	Experiences of students from two geographically separated universities' masters' classes in education law.
C2-1	Chuck Vergon	School Shootings and Student Wrongful Death Actions: Who Pays?	Defendants, legal theories & case outcomes in actions brought by families of children killed/injured in mass school shootings.
C2-2	Sarah B. Dragotta, Kim A. Fitzgerald, James J. Munnely	Social Media, School Violence and the Active Shooter	Role of social media in school threat assessment, and lessons to be learned in the wake of school violence involving the active shooter.
C3-1	Michael W. Klein	Student Athletics after Christie v. NCAA	Supreme Court decision regarding legalized sports wagering; implications for student athletes and NCAA postseason play policies.
C3-2	Kevin McKenna, Jacqueline Stefkovich		Review of sexual abuse scandals at NCAA member institutions. Is enough being done to prevent these tragedies in the future?
C4-1	Tammy Harel Ben Shahaar, Amir Paz-Fuchs	Separate but Equal Reconsidered: Religious Education and Gender Separation	Discusses whether sex segregation in religious schools is discriminatory, analyzing a recent decision by England's Court of Appeals.
C4-2	Bradley Domangue, Holly McIntush	#metoo and You Too: Best Practices in Gender Equity	Time's Up and #metoo have revealed ongoing issues in employment & education. Policy & leadership initiatives on sex and gender.

C5	Edwin Darden, Charles J. Russo, Jennifer Sughrue, William E. Thro	The Conversation Continues: Update on the First Amendment Religion Clauses	Interactive session for an updated discussion on the status of religion in education under the First Amendment Religion Clauses
C6-1	Patrick Ober	An Analysis of Current State Restraint and Seclusion Laws	Current status of state restraint and seclusion laws; recommendations for improving safety & reducing harmful uses of the practices.
C6-2	Amir Alhambra, Kelly Sherrill Linkous	Discipline of Students with Disabilities: Lessons from the Courts	Provisions of the IDEA, its accompanying regulations, and court decisions relevant to behavior intervention and discipline.
D1	Rachel A. Gordon, Benjamin M. Superfine	Federal Education Funding and the Development of Educational Products	Governing the technology transfer process in relation to preK-12 educational products and specifically educational assessments.
D2	Christine R. Kiracofe, William E. Thro, R. Craig Wood	Lawyers, Schools, & Money: Trends and Developments in School Finance Litigation	Panel discussion involving recent developments in school finance litigation, by some of the nation's leading experts on that subject.
D3-1	Neal Hutchens, Kelly Smith	Legal and Policy Disputes Surrounding Naming Rights in Higher Education	Legal, moral, and ethical issues of U.S. postsecondary campus naming opportunities.
D3-2	Kerry Brian Melear, Russell H. Willis	The Fair Labor Standards Act and Higher Education	Purpose of the Fair Labor Standards Act and proposed changes to the legislation that have significant implications for higher education.
D4	Ellery M. "Rick" Miller, Jr., Eric S. "Rick" Mondschein	Sexual Harassment and Bullying: Similar, but Not the Same—An Update 2018	Current legal developments in the areas of sexual harassment and bullying K-12; developing and implementing policy and training.
D5-1	Martha McCarthy	Implications of Trinity Lutheran Church v. Comer for Private School Choice	Strategies to increase private school choice and implications of the Supreme Court's decision in Trinity Lutheran Church v. Comer
D5-2	Julie F. Mead	Trading Collective for Individual Accountability in Privatized Systems of Education	Comparing statutory provisions holding traditional public schools accountable with private schools in a voucher program.
D6-1	Lisa G. Driscoll, Anita Morgan, Julie A. Sears	Update on Educating K-12 Students with Service Animals	Update on relationships among IDEA, ADA and 504 as applied to students' rights to service animals in K-12 education.
D6-2	Philip T.K. Daniel, Keisha N. Fletcher-Bates, Keisha J. Hunley-Jenkins, Patrick Pauken	Maximum Extent "Appropriate" or "Possible": Which is it for Placement in the Regular Classroom?	Recommendations for reducing language confusion in LRE implementation so that all can educate special needs students with other students "to the maximum extent appropriate."
E1-1	Timothy Letzring	Social Media Searches of Candidates – A Double-Edged Sword	The use of the internet in searching job applicants and both the benefits and pitfalls from such searches.
E1-2	BECKHAM AWARD RECIPIENT		
E2-1	Sarah Kern, Maria M. Lewis	Bidirectional Relationship between Federal Civil Rights Guidance and Research	Examines the existence of a bidirectional relationship between peer-reviewed research and OCR policy guidance.
E2-2	John E. Rumel	Age Discrimination: School District Obligations and Teachers Rights	The Age Discrimination in Employment Act, with special emphasis on school district obligations and teachers' rights in the K-12 setting.
E3-1	Lorie K. Dakessian, Patricia M. Hamill	How to Avoid a Title IX Lawsuit	Learn how colleges and universities can manage the risk of Title IX lawsuits from students and how lawsuits have fared in the courts.
E3-2	David L. Stader, Jodi L. Williams-Cunningham	Campus Sexual Assault and the Standard of Proof	Pros and cons of the preponderance of the evidence and clear and convincing standards of proof in sexual assault adjudications.
E4-1	Robert F. Hachiya	Role of ELA Members in the Effort to Reduce School Violence: A Moral Conversation	Guided conversation to inform, motivate, and create confidence to use your voice and expertise in the quest for school safety.
E4-2	Kenyatta M. Braggs, Catherine Robert	Implementing Discipline Reform: One District's Experience with PBIS	A district's discipline reform efforts in the wake of the OCR's Title VI guidance encouraging districts to address discipline disparities.
E5-1	Barbara Qualls	What Does 'Freedom of Expression' Mean in the Era of Trump?	The Trump presidency has introduced a new viewpoint on what constitutes 'free speech' – how that plays out in education settings.
E5-2	Joe Dryden	Matthews v. Kountze ISD: Outlier in Establishment Clause Jurisprudence	Balancing the private speech rights of students and the authority of school officials to control messages at school-sponsored events.
E6-1	Patricia A. Hennessy, Matthew Plain	Latent Legal Threats to Charter Schools	Well-intentioned quality efforts have slowly limited independence and innovation of charter schools and created latent legal issues
E6-2	Preston Green III, Stephanie Klupinski, Kevin McKenna	Charter School Litigation Update	Important legal trends in charter schools from 2018 and the realities of virtual schooling in charter schools for students with disabilities.
Friday, November 9			
F1	Tom Hutton, Mark Paige, Lynn Rossi Scott	Employment Law in Public Education: The Hot Topics and the Big Picture	Legal developments/policy controversies affecting employment in public education: historical context, outlook, employee relations.
F2	Traci N.W. Ballard, Kevin P. Brady	Fourth Amendment Update	Update of Fourth Amendment court decisions includes warrantless searches, claims of seizure and excessive force, liability, and more.
F3	Kathleen Conn	LGBT Issues in Higher Education	The extent of discrimination toward LGBT individuals in public colleges and universities, and how courts are dealing with it.
F4-1	Stewart Mayers	Anatomy of a Title VII Lawsuit: Don't Let This Happen to You	Examining a recent Title VII trial in which a female, transgender faculty member attempted to be reinstated at her former university.
F4-2	Carrie Y. Barron Ausbrooks	Public Schools and Title IX: In the Wake of the Bathroom Controversy	What public schools and districts are doing to ensure compliance with Title IX with respect to transgender students.
F5-1	Ann E. Blankenship-Knox, Brett A. Geier	Regulating Religious Speech of School District Employees	Ninth Circuit Court's decision in Kennedy v. Bremerton School District and its impact on school employee speech and prayer.
F5-2	JOSEPH AWARD RECIPIENT		
F6-1	C. Drew Milligan	Does the 4-year graduation cohort measure restrict students with disabilities' rights?	Contrasting the IDEA's provisions for additional academic years with the ESSA's 4-year graduation cohort ratio as a growth measure.
F6-2	Richard G. LaFosse	Students with Disabilities in Virtual Schools: Discipline, LRE, and Child Find Concerns	

G1	M. David Alexander, Jennifer Sughrue	Challenges to School Policing Update 2018	Update on the case law that involves SROs and its implications for school leaders and those who advise them.
G2-1	Mari M. McGowan	Under Attack! Minimizing the Risk and Mitigating the Impact of Cybercrime	Commonly employed cybercrime techniques and how your district can minimize the risk and mitigate the impact of cyberattacks.
G2-2	Brandan Keaveny	Privacy Risks Unfolding When Implementing Educational Technology Solutions	How legal and district officials can implement safeguards and governance when adopting a new educational technology solution.
G3-1	Lenford C. Sutton	Higher Education Leadership Amid DACA Uncertainty	Tools for leaders in higher education amid immigration reform, racialized campuses, and DACA uncertainty.
G3-2	Frank Fernandez, Hyun Kyoung Ro	Understanding Law School Admissions and Diversity in the Legal Profession	Analyses show that Black and Hispanic women are less likely to be admitted to U.S. public law schools; practical & policy implications.
G4-1	Elda de Waal	Celebrating classrooms -- conquering passengers	K12 students must acknowledge/accept their roles in supporting their own schooling, aimed at becoming citizens supporting society.
G4-2	Pierre du Plessis, Raj Mestry	Right to Religious Freedom and Equality: Constitutional Right to Practice Religion	After years of constitutional democracy in South Africa, religious rights enjoy eminence among those entrenched in the Bill of Rights.
G5	Todd A. DeMitchell, Suzanne E. Eckes, Nathan Fellman, Allison Fetter-Harrott, Richard Fossey	Dress Codes, School Uniforms, and Student Speech	What students can wear to school and what must be worn to school have First Amendment implications. This session will explore those implications.
G6	Cynthia A. Dieterich, Nicole D. Snyder	Legal Case for Interventions and Supports for Students under IDEA & Section 504	Collaboratively addressing behavioral, social-emotional and mental health needs of students with disabilities to promote school safety.
H1	Justin Bathon, Mark Paige, Regina Umpstead	Promoting Legal Principles to Address Social Justice Issues in Schools	Embracing fundamental constitutional principles in order to enable schools to create equitable learning environments.
H2-1			
H2-2	Janet R. Decker, Miranda B. Johnson, Michelle Mbekeani-Wiley, Elizabeth A. Shaver	Efforts to Combat Excessive Disciplinary & Law Enforcement Actions involving Schoolchildren	Examines cases and legislative actions regarding the criminalization of student behavior, with focus on students with disabilities, young children, and children of color.
H3-1	Mercy Roberg	Guns on Campus: Are they Hurting or Helping?	Study of federal and state laws implemented in the past decade to allow carrying firearms on campuses of higher learning.
H3-2	GOLDBERG AWARD RECIPIENT		
H4-1	Spencer D. Stone	The Failed Attempt at Secession by the Gardendale School System	How one city's attempt to create its own school system became a legal fight over disenfranchisement of black students.
H4-2	Dominic J. Ledesma Perzichilli	Are language rights really "a thing" in the U.S.? You betcha.	The current legal debate on language access in public schools, and how LEP parents are exercising their rights to be heard.
H5-1	Amy L. Dagley	Retaliation for Employee Speech in Schools and Universities: An Update	An update on employee speech retaliation cases in K-12 and higher education, with a focus on trends since Garcetti v. Ceballos
H5-2	Phillip Buckley	Respecting Student Speech Rights while Promoting a Safe, Welcoming School	Legal and other challenges involved in respecting student speech rights while promoting a school culture that is supportive of diversity.
H6	David H. K. Nguyen	Examining "Actual Knowledge" in Title IX cases in P-20 Settings	Institutions are liable for Title IX sexual assaults/harassment against students if they have "actual knowledge." Reviewing court interpretation and implications.
Poster	Justin Bathon	Smoothing the Transition: Dual Credit & Early College Laws In the United States	Legal issues and state policy approaches emerging from the rapidly expanding area of dual credit and early college models
Poster	Camille Cartwright, Amelia King-Kostelac, Angie Watts	Legal Consciousness of Residence Life Staff	Empirical examination of the experiences of residence life staff utilizing the law in dealing with a variety of legal/compliance issues.
Poster	Alyse Gray Parker	Exploring Title IX Guidance in a Critical Feminist Framework	Analysis of current issues in higher education surrounding Title IX in a critical feminist framework.
Poster	David H. K. Nguyen, Heather Unger	Affirmative consent in Canadian and American sexual assault cases	Definitions of consent; legal recourse available to students & administrators; best practices in response to sexual assault claims.
I	Mary Beth Tinker	FEATURE 2	First Amendment
Saturday, November 10			
RT	Jaymi Abusham, Andrea Schulewitch	Transforming Preparation Programs to Prepare School Leaders for Social Justice	Train educational leaders to be effective with the students who need them most with preparation programs that emphasize social justice.
RT	Delia B. Allen	Could race-conscious litigation emerge as the 4th wave of school funding litigation?	Whether race-conscious litigation could emerge and sustain as the fourth wave of school funding litigation strategies.
RT	Jantina N. Anderson	Are hairstyle restrictions lawful when negatively impacting a racial community?	Schools' legal standing when enforcing hairstyle restrictions; students' recourse when said policies impact racial populations.
RT	Mathew Budzynski, Stephen Seedorf	Goldilocks and the Three Dismissals	Avoid lawsuits and ethical issues when disciplining or terminating non-tenured employees.
RT	Francesca L. Hoffmann	Teaching Civic Education and Social Responsibility in the Trump Era	Do educators have to remain "neutral," or is this doing a disservice to the civic education and social responsibility of students?
RT	Ilana L. Linder	Anti-Lunch Shaming Acts: Ending Embarrassment in School Lunchrooms	A review of proposed and enacted anti-lunch shaming laws examines the associated benefits and shortcomings.
J	Mark Walsh	FEATURE 3	Supreme Court Report
PstC1		Utilizing Social Media & Overcoming Online Challenges in PK-20 Education (\$59)	
PstC2		Overview of School Law for TFA and All Teachers (\$59)	

See session times and full schedule on the second page. Presentations are subject to change.

Mail/Fax/Email Conference Registration

See important instructions at bottom of page

Education Law Association 64th Annual Conference

November 7-10, 2018 – Downtown Marriott Key Center, Cleveland, Ohio

Select one registration option:

Register before Sept. 1 and save \$25 Registration cost after Sept. 1

<input type="checkbox"/> Current ELA Professional Member Conference Registration	\$370	\$395	Please see the ELA website for our cancellation policy.
<input type="checkbox"/> Conference Registration + One-year ELA Professional Membership.....	\$595	\$620	
<input type="checkbox"/> Nonmember Conference Registration	\$570	\$595	
<input type="checkbox"/> Current ELA Retired Member Conference Registration	\$250	\$275	Registration subtotal here
<input type="checkbox"/> Current Student Member Conference Registration	\$250	\$275	
<input type="checkbox"/> Student Nonmember Conference Registration.....	\$300	\$325	

Optional selections (add to basic registration):

1. Wednesday, Nov. 7 Preconference Sessions

- 1:00-4:15 p.m. – Legal Ethics.....*\$75
- 1:00-3:45 p.m. – Special Education: Focus on Online Curriculum.....*\$75

First-time attendee professional members – see *note at right

2. Saturday, Nov. 10 Postconference Sessions

- Noon-2:15 p.m. – Utilizing Social Media & Overcoming Online Challenges in PK-20 Education.....\$59
- Noon-2:15 p.m. – Overview of School Law for TFA and All Teachers.....\$59

3. Continuing Legal Education (CLE) Credit Processing Fee

\$40 per state x _____ = Total CLE\$ _____
 CLE Bar No.(s) _____ State(s) _____

4. Continuing Education Units: I need a certificate of attendance to apply for continuing non-legal education credit.

5. Bringing a guest? You can purchase guest tickets for the following events:

- Gratitude Reception (Thursday, Nov. 8)\$45 x _____ = _____
- Supreme Court Update Brunch (Saturday, Nov. 10)\$45 x _____ = _____

Options
subtotal here

TOTAL PAYMENT.....

Add subtotals, put total here

- Please check if you require special medical or religious accommodations and describe here

By submission of this registration, you acknowledge that any images taken of you at the conference may be used for ELA marketing purposes.

Registrant Information

Name: _____
 Title: _____
 Nickname or first name for name tag: _____
 Institution or Firm: _____
 Address: _____

 City: _____ State: _____
 Postal Code: _____ Country: _____
 Home address Business address
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 Email: _____
 Is this your first ELA Annual Conference? Yes No

Payment Information

Invoice me (Payment must accompany order unless a Purchase Order number is provided.) P.O. No.: _____
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 Name of Payer: _____
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INSTRUCTIONS FOR THIS FORM – Print out, fill in fields above, and mail to Education Law Association, 2121 Euclid Avenue, LB 46, Cleveland, Ohio 44115, or fax to 216-687-6881. Keep a hard copy for your records. To email, print, fill out, scan, and send as a PDF attachment renamed with registrant's last name to pat.petrusky@educationlaw.org. Phone: 216-523-7377.