**Section 51.55 Pre-Hearing Procedures**

a) The parties and the hearing officer may agree to a location for the hearing. If there is a dispute as to the location of the hearing, the hearing officer shall fix the place of the hearing at a location within the district's boundaries.

b) Discovery

1) Either party may request in writing from the other, with copies to the State Board of Education and the hearing officer, *a list of persons (and their addresses) who may be called as expert witnesses at the hearing, the omission of any such name to result in a preclusion of the testimony of such witness in the absence of a showing of good cause and the express permission of the hearing officer.*

2) Either party may request in writing from the other, with copies to the State Board of Education and the hearing officer, a list of persons (and their addresses) who may have knowledge of facts related to the charges and/or the defenses thereto. This is not to be construed as a list of witnesses to be used at the hearing, but no person whose name is not so disclosed may testify except upon good cause shown and by the express permission of the hearing officer.

3) Further discovery, limited to written interrogatories, bills of particulars, requests to produce, and lists of witnesses, may be allowed.

A) Application for such discovery shall be made by written motion to the hearing officer, with copies to the State Board of Education and the other party.

B) The motion shall state the specific nature of the discovery and the circumstances necessitating the discovery. If interrogatories are sought, a copy of these shall be attached to the motion.

C) The hearing officer shall rule on the motion within five days after receipt of the motion, sending copies of the decision to both parties and to the State Board of Education. The ruling shall set a date by which discovery shall be completed. In the case of interrogatories, receipt of the hearing officer's ruling shall be deemed service of the interrogatories where the provisions of subsection (b)(3)(B) of this Section have been complied with.

D) In ruling on the motion, the hearing officer shall not permit discovery which will unnecessarily delay the proceedings or harass a party, but shall allow only that discovery which will further the resolution of the dispute, avoid surprise to a party, or aid in doing substantial justice.

4) Each party providing answers to discovery requests shall sign his or her responses under oath, and each attorney making objections shall sign his or her objections under oath.

c) Other pretrial motions may be resolved prior to the hearing at the discretion of the hearing officer, provided that no motion shall be resolved prior to the hearing that would result in a default judgment against the tenured teacher.

(Source: Amended at 29 Ill. Reg. 10108, effective June 30, 2005)