BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. ETIWANDA SCHOOL DISTRICT.	OAH Case No. 2019041020 ORDER DENYING MOTION FOR AN ORDER TO SHOW CAUSE

On May 29, 2019, Student filed a Prehearing Conference Statement. One of the potential witnesses listed was Shawn Judson, Etiwanda's Superintendent. The potential areas of his testimony included District programs, procedures, direct communications, and records.

On June 3, 2019, District filed a Motion for an Order to Show Cause, requesting that OAH issue an order to show cause, requiring Student to provide an offer of proof as to the necessity of calling Mr. Judson at hearing and the relevancy of his anticipated testimony to the issues for hearing.

The Motion is denied. District cites no authority for requiring any party to show cause, or make an offer of proof, as to the necessity of calling a witness on the witness lists. Student complied with OAH's April 24, 2019 Scheduling Order and its attachments, concerning the contents of the PHC statements, which require "the name of each witness the party may call at the due process hearing, a brief summary of the subject of the expected testimony of the witness, and a description of the issue to which the testimony of the witness relates."

IT IS SO ORDERED.

DATE: June 7, 2019

DocuSigned by:
June Lehrman
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JUNE LEHRMAN
Administrative Law Judge
Office of Administrative Hearings