

**53A-7-101 Mediation of contract negotiations.**

- (1) The president of a professional local organization which represents a majority of the licensed employees of a school district or the chairman or president of a local school board may, after negotiating for 90 days, declare an impasse by written notification to the other party and to the State Board of Education.
- (2) The party declaring the impasse may request the state superintendent of public instruction to appoint a mediator for the purpose of helping to resolve the impasse if the parties to the dispute have not been able to agree on a third party mediator.
- (3) Within five working days after receipt of the written request, the state superintendent shall appoint a mediator who is mutually acceptable to the local school board and the professional organization representing a majority of the licensed employees.
- (4) The mediator shall meet with the parties, either jointly or separately, and attempt to settle the impasse.
- (5) The mediator may not, without the consent of both parties, make findings of fact or recommend terms for settlement.
- (6) Both parties shall equally share the costs of mediation.
- (7) Nothing in this section prevents the parties from adopting a written mediation procedure other than that provided in this section.
- (8) If the parties have a mediation procedure, they shall follow that procedure.

Amended by Chapter 224, 2000 General Session