2018 Guide to Salary Increase Differentials

The purpose of this Guide is to provide information to help parties understand the use and limitations of salary increase differentials. The 2018 Guide supersedes and replaces the previous Guide to Salary Increase Differentials.

When thinking about salary increase differentials, a key first question is – what do parties want their salary increase to do?

- If they want the increase to provide a raise to all eligible teachers based on the same factors and the same dollar amount, percentage of increase, or points for a factor, then there is no salary increase differential to deal with.
- **BUT** a salary increase differential will be needed if the parties want to:
  - Bring the lowest salary closer to the average salary.
  - Provide a salary increase to retain one or more teachers.
  - Reward a group of teachers based on a specific factor or sub-factor.

Parties may have different reasons for bargaining a salary increase differential. The purpose of/reason for the salary increase differential will dictate what is required for the differential to be compliant. For example, if the purpose of the salary increase differential is to reduce the gap between the minimum and average teacher salary, the specific salary increase to reduce the gap is exempt from the 33.33% restriction. For all other salary increase differentials, the 33.33% cap applies.

Board guidance on salary increase differentials previously provided that, when teachers satisfied the same factor or sub-factor but did not receive the same amount of salary increase, the difference in the amount of increase – the salary increase differential – had to be based on one or more of the statutory factors. In 2018, two statutory provisions were enacted to provide additional flexibility in differentiating the amounts of salary increases awarded to teachers, supplementing and expanding the Board’s original guidance. See Indiana Code §§ 20-28-9-1.5(c) and (d).

The examples provided in this guidance document are illustrative only and are not complete compensation plans. Model compensation plans that include a salary increase differential are posted on IEERB’s website at https://www.in.gov/ieerb/2411.htm.

Questions about the salary increase differential requirements may be sent to Questions@ieerb.in.gov.
OVERVIEW

What is a salary increase differential?
A salary increase differential occurs when teachers do not receive the same dollar amount or percentage of increase for satisfying the same factor\(^1\) or sub-factor\(^2\) – that is, both the dollar amount and percentage amount that one teacher receives is different than another teacher who satisfies the same factor or sub-factor.

To determine whether there is a salary increase differential, IEERB looks at the amount of increase for a factor. If teachers receive the same dollar amount of increase for the factor, there is no salary increase differential. If teachers receive different increase amounts for the factor, IEERB looks to whether the dollar amounts represent equivalent percentage increases. If teachers receive the same percentage increase for the factor, there is no salary increase differential. If there is disparity in both dollar amount and percentage increases among teachers that satisfy the same factor or sub-factor, this is a salary increase differential.

Can we bargain a salary increase differential?
Yes, but there are certain requirements that must be met in order for the salary increase differential to be compliant.

How do we make a salary increase differential compliant?
To determine if a salary increase differential is compliant, IEERB reviews the sub-factors and the increases for the sub-factors. The salary increase differential will be compliant if all teachers who satisfy a compliant sub-factor receive the same dollar amount or percentage of salary increase for the sub-factor.

To be compliant, all salary increase differentials, except a differential based on Academic Needs, must be based on at least one factor and otherwise comply with Indiana Code § 20-28-9-1.5.

Do the differential restrictions apply to stipends?
No. Stipends are not subject to the requirements or restrictions of Indiana Code § 20-18-9-1.5.

Where can I find examples of compensation plans that include a compliant salary increase differential?
See the Model Compensation Plans on IEERB’s website at [www.in.gov/ieerb/2411.htm](http://www.in.gov/ieerb/2411.htm).

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\(^1\) Evaluation rating, year of experience, possession of an additional content area degree or credit hours, assignment of instructional leadership roles, and academic needs of students in the corporation. Indiana Code § 20-28-9-1.5(b).

\(^2\) A sub-factor is a component of the factor – for example: highly effective and effective evaluation ratings are both sub-factors of the evaluation rating factor. The sub-factor must be logically connected to the factor.
SALARY INCREASE DIFFERENTIALS

There are three ways to provide a salary increase differential. Parties may bargain a salary increase differential:

- based on one of the statutory factors (this is not new);
- based on academic needs (NEW – additional flexibility to define and limit to individual teachers); and
- to reduce the gap between the minimum and average teacher salary (NEW – an exemption from the 33.33% restriction).

Each of these is described in more detail in the following sections.

I. Salary increase differential based on a factor.
   • A salary increase differential may be based on any of the foregoing factors, but:
     ▪ the sub-factor(s) on which differentiated increases are based must be logically connected to the factor, and teachers who satisfy the same sub-factor must get the same dollar amount or percentage of salary increase.
     ▪ These factors cannot be used to provide a salary increase to a single teacher. All eligible teachers who satisfy the sub-factor must receive the same salary increase.
     ▪ The 33.33% restriction applies to these salary increases and salary increase differentials. (But see Section III for information on the exemption from the 33.33% restriction for a salary increase differential to reduce the gap.)

Example 1
Factors
   ▪ Evaluation rating means highly effective or effective evaluation rating in the prior school year.
   ▪ Experience means being employed by the corporation at least 120 days in the prior school year.

Increase
   ▪ Highly effective evaluation rating = $1,000
   ▪ Effective evaluation rating = $900
   ▪ Experience = $500

<table>
<thead>
<tr>
<th>Is there a differential?</th>
<th>Yes</th>
<th>Teachers get different increase amounts for satisfying the evaluation factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the differential compliant?</td>
<td>Yes</td>
<td>All eligible teachers who satisfy the same sub-factor get the same amount (i.e., all highly effective teachers receive $1,000, and all effective teachers receive $900). Experience accounts for 33.33% of the maximum available increase ($1,000 + $500 = $1,500 and $500/$1500 = 33.33%).</td>
</tr>
</tbody>
</table>
**Example 2**

Factors
- Evaluation rating means highly effective or effective evaluation rating in the prior school year.
- Experience means being employed by the corporation at least 120 days in the prior school year.

Increase
- Highly effective evaluation rating = 2% increase
- Effective evaluation rating = 1.8% increase
- Experience = 1% increase

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</thead>
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<tr>
<td>Is the differential compliant?</td>
<td>Yes</td>
<td>All eligible teachers who satisfy the same sub-factor get the same amount (i.e., all highly effective teachers receive a 2% salary increase, and all effective teachers get 1.8%). Experience accounts for 33.33% of the maximum available increase (2% + 1% = 3% and 1% of 3% = 33.33%).</td>
</tr>
</tbody>
</table>

**Example 3**

Factors
- Evaluation rating means highly effective or effective evaluation rating in the prior school year.
- Year of experience means being employed by the corporation at least 120 days in a given school year.

Increase
- Highly effective or effective rating = $1,000
- 1 to 5 years’ experience in the corporation = $500
- 6 to 10 years’ experience in the corporation = $300
- 10 to 15 years’ experience in the corporation = $100
- 15+ years’ experience in the corporation = $0

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Is the differential compliant?</td>
<td>Yes</td>
<td>All eligible teachers who satisfy the same sub-factor of number of years’ experience receive the same amount (i.e., all with 1 to 5 years’ experience get $500, etc.) Experience accounts for 33.33% of the maximum available increase ($1,000 + $500 = $1,500 and $500/$1500 = 33.33%).</td>
</tr>
</tbody>
</table>
Example 4

Factors
- Evaluation rating means receiving a highly effective or effective evaluation rating in the prior school year.
- Year of experience means being employed by the corporation at least 120 days in a given school year.

Increase
- Highly effective and effective rating = $1,000
- 1 or 2 years’ experience in the corporation = $750
- 3 or more years’ experience in the corporation = $250

<table>
<thead>
<tr>
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<th>Teachers get different increase amounts for satisfying the experience factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the differential compliant?</td>
<td>Yes and No</td>
<td>All eligible teachers who satisfy the same sub-factor of number of years’ experience receive the same amount (i.e., all with 1 or 2 years’ experience get $750, etc.) BUT Experience accounts for more than 33.33% of the maximum available increase ($1,000 + $750 = $1,750 and $750/$1,750 = 43%) and is not compliant.</td>
</tr>
</tbody>
</table>

Is there a differential?

Yes

Teachers get different increase amounts for satisfying the experience factor

Is the differential compliant?

Yes and No

All eligible teachers who satisfy the same sub-factor of number of years’ experience receive the same amount (i.e., all with 1 or 2 years’ experience get $750, etc.)

BUT Experience accounts for more than 33.33% of the maximum available increase ($1,000 + $750 = $1,750 and $750/$1,750 = 43%) and is not compliant.

For examples of a salary increase differential (not based on academic needs and not to reduce the gap), see Model Compensation Plans #2 and #2A at www.in.gov/ieerb/2411.htm.

II. Salary increase differential based on the Academic Needs of Students factor

- Parties may bargain a salary increase differential based on the “academic needs of students” factor.

- NEW -- A salary increase differential based on academic needs, may be limited to:
  - a single identified teacher (e.g., AP Calculus teacher)
  - multiple identified teachers (e.g., Chemistry, Physics, and Computer Science teachers), or
  - a categorical group of teachers (e.g., all STEM teachers).

- Parties can also continue to use the academic needs factor as the basis of a salary increase differential as described in the previous section.

- Academic needs is locally defined and may be “any academic needs the school corporation determines are appropriate,” including:

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3 If the increase for experience had been identified as the salary increase to reduce the gap, the amount for experience would be exempt from the 33.33% restriction.

4 See Indiana Code § 20-28-9-1.5(c)
- the subject or subjects taught by a given teacher, including but not limited to special education, science, technology, engineering, mathematics, elementary math, elementary reading, and elementary literacy, taught by a given teacher;
- the importance of retaining a given teacher in the corporation; and
- the need to attract an individual with specific qualifications to fill a teaching vacancy.

**Example 1**

Factors
- Evaluation rating means highly effective or effective evaluation rating in the prior school year.
- Experience means being employed by the corporation at least 120 days in the prior school year.
- Academic needs means teaching any of the following subjects at the secondary level:
  - Science
  - Mathematics

Increase
- Evaluation rating = $1,000
- Experience = $500
- Academic Needs – Secondary Science = $1,500
- Academic Needs – Secondary Mathematics = $1,750

<table>
<thead>
<tr>
<th>Is there a differential?</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Only certain identified teachers get a salary increase for academic needs, and teachers get different increase amounts for satisfying the academic needs factor</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is the differential compliant?</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Academic needs can be limited to teachers who teach certain subjects. All eligible teachers who satisfy the same sub-factor of academic needs receive the same amount (i.e., all secondary science teachers get $1,500, etc.) Experience accounts for less than 33.33% of the maximum available increase ($1,000 + $500 + $1,750 = $3,250 and $500/$3,250 = 15%).</td>
</tr>
</tbody>
</table>

**Example 2**

Factors
- Evaluation rating means highly effective or effective evaluation rating in the prior school year.
- Experience means being employed by the corporation at least 120 days in the prior school year.
- Academic needs means completing one or more of the following:
  - Attend 6 hours of corporation professional development by December 31, 2018.
- Provide at least 10 hours of direct instructional assistance to students after school hours.
- Participate on a school improvement or curriculum committee.

Increase
- Evaluation rating = $1,000
- Experience = $500
- Academic Needs – 1 activity = $250
- Academic Needs – 2 activities = $600
- Academic Needs – 3 activities = $1,000

<table>
<thead>
<tr>
<th>Is there a differential?</th>
<th>Yes</th>
<th>Teachers get different amounts for satisfying the academic needs factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the differential compliant?</td>
<td>Yes</td>
<td>All eligible teachers who satisfy the same sub-factor of academic needs receive the same amount (i.e., all who complete one activity get $250, etc.) Experience accounts for less than 33.33% of the maximum available increase ($1,000 + $500 + $1,000 = $2,500 and $500/$2,500 = 20%).</td>
</tr>
</tbody>
</table>

For examples of a salary increase differential based on Academic Needs, see Model Compensation Plans #3, #3A, and #3B at [www.in.gov/ieerb/2411.htm](http://www.in.gov/ieerb/2411.htm).

III. **Salary increase differential to “reduce the gap”**

- Parties may bargain a salary increase differential to “reduce the gap” between the minimum teacher salary and the average of the minimum and maximum teacher salary.
  - The gap is the difference between the minimum salary of a full-time returning teacher and the average salary of a full-time returning teacher.
  - The average salary is determined by adding the minimum and maximum salary from the salary range and dividing the sum by two.

- Parties must clearly identify the specific salary increase/factor they are using to reduce the gap – e.g., “The salary increase for experience is to reduce the gap.”

- The salary range on which the current gap is calculated must be clearly stated and accurately reflect the minimum and maximum salary of full-time returning teachers.

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5 See Indiana Code § 20-28-9-1.5(d).

6 A returning teacher is a teacher not newly hired for the current school year; a teacher who was employed by the corporation in the prior school year who has returned as a full-time teacher for the current school year.

7 Parties may use a salary increase differential to address other salary disparities or gaps unrelated to the gap between the current minimum and average salary. However, the only salary increase differential that is exempt from the 33.33% restriction is the salary increase differential that reduces the gap between the minimum and average teacher salary.
without any ISTRF contribution and before any increases are implemented for the current year.

- The compensation plan must include sufficient information for the compliance officer to confirm that the gap has been reduced.

- **If the specific salary increase results in the gap being reduced, the salary increase is exempt from the 33.33% restriction.** If the compliance officer cannot determine if the gap is actually reduced by the salary increase, the 33.33% restriction will apply.

## Calculating the gap and determining if the gap has been reduced

1. What do you need to know to calculate the current gap?
   - Salary range (minimum and maximum salary)

2. How is the gap calculated?
   a. Minimum + maximum divided by two = average salary
   b. Average salary – minimum = gap

3. What numbers do you need to calculate if the gap has been reduced?
   - Original minimum and maximum salary
   - Original Gap
   - Amount of salary increase for the minimum salary (only the specific salary increase to reduce the gap)
   - Amount of salary increase for the maximum salary only the specific salary increase to reduce the gap

4. What are the calculations to determine if the gap has been reduced?
   a. Minimum + the “reduce the gap” salary increase = new minimum
      Maximum + the “reduce the gap” salary increase = new maximum
   b. New minimum + new maximum divided by two = new average salary
   c. New average salary - new minimum salary = new gap
   d. If the difference between the original gap and the new gap is equal to or greater than $1, the gap has been reduced (original gap minus new gap). If the difference is $0 or a negative number, the gap has not been reduced.

## Exemption from 33.33% restriction

- **If experience and/or education is used for the specific salary increase to reduce the gap, it is exempt from the 33.33% restriction IF:**
  - The compensation plan clearly identifies a specific salary increase to reduce the gap **AND**
  - The salary increase is based on a factor **AND**
  - The specific salary increase actually reduces the gap between the minimum and average salary.
• Exemption from the 33.33% restriction only applies to the specific salary increase to reduce the gap. A salary increase based on experience and/or education that is not identified to reduce the gap remains subject to the 33.33% restriction.

For example:
Increase amounts applied to base salary:
   a. Evaluation rating = $1,000
   b. Experience - The salary increase for Experience is to reduce the gap
      o Teachers with 1 or 2 years’ experience with the corporation = $2,000
      o Teachers with 3 or 4 years’ experience with the corporation = $1,500
   c. Possession of content area Master’s degree = $1,000

The 33.33% restriction applies only to the increase for possession of a content area Master’s degree.
  ➢ $1,000 (education) / $4,000 (evaluation + experience + education) = 25%

• If the specific increase is not identified, the increase does not reduce the gap, or due to lack of sufficient information the compliance officer cannot confirm that the gap has been reduced, the increase will be subject to the 33.33% restriction.

Example 1 – Using a salary increase for Experience to reduce the gap
The salary range for returning full-time teachers is $32,000 to $65,000.

Compensation plan factors and salary increase

Factors:
   ▪ Evaluation rating: Highly effective or effective prior year rating
   ▪ Experience: Employed by the corporation at least 120 days prior to the current school year.
   ▪ Education: Possession of a content area Master’s degree (content area as defined by IDOE)

Increase amounts applied to base salary:
   ▪ Evaluation rating = $1,000
   ▪ Experience - The salary increase for Experience is to reduce the gap
      o Teachers with 1 or 2 years’ experience with the corporation = $2,000
      o Teachers with 3 or 4 years’ experience with the corporation = $1,500
      o Teachers with 5+ years’ experience with the corporation = $500
   ▪ Possession of a content area Master’s degree = $1,000

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8 Do not include salaries for part-time teachers in the salary range.

9 Not a complete compensation plan, but only those components necessary to illustrate the salary increase differential.

10 The specific salary increase being used to reduce the gap must be clearly identified.
Step 1: Calculate the current average salary and the gap using the salary range for returning teachers.

<table>
<thead>
<tr>
<th>Salary range</th>
<th>$32,000 to $65,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average salary</td>
<td>($32,000 + $65,000) ÷ 2 = $48,500</td>
</tr>
<tr>
<td>Gap</td>
<td>$48,500 - $32,000 = $16,500</td>
</tr>
</tbody>
</table>

The current gap between the minimum and average salary is $16,500.

Step 2: Calculate the new average and the new gap with the salary increase for experience.\(^{11}\)

a. Calculate the minimum and maximum salaries with the salary increase for experience
   - Teacher at minimum salary: $32,000 + $2,000 for experience = $34,000
   - Teacher at maximum salary: $65,000 + $500 for experience = $65,500

b. Calculate the new average and the new gap using the new minimum and new maximum.

<table>
<thead>
<tr>
<th>New minimum and New maximum</th>
<th>$34,000 to $65,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>New average salary</td>
<td>($34,000 + $65,500) ÷ 2 = $49,750</td>
</tr>
<tr>
<td>New gap</td>
<td>$49,750 - $34,000 = $15,750</td>
</tr>
</tbody>
</table>

Step 3: Determine if the gap has been reduced

Amount gap has been reduced | $16,500 - $15,750 = $750 |

As a result of the salary increase for the experience factor, the gap has been reduced by $750.

Step 4: Determine compliance with the 33.33% requirement

a. Calculate the maximum available increase\(^{12}\)
   - $1,000 (evaluation) + $2,000 (experience) + $1,000 (education) = $4,000

b. Calculate the amount education contributes to the increase
   - $1,000 (education) ÷ $4,000 (maximum available increase) = 25%

REMEMBER -

\(^{11}\) Because the salary increase for the experience factor is the increase used to reduce the gap, it is the only increase that is used in calculating whether the gap has been reduced. The gap after the salary increase for experience must be less than $16,500.

\(^{12}\) The maximum available increase is sum of the increases for all factors. If the increase for a factor is differentiated, the highest amount of increase for that factor is used in the maximum available increase calculation.
- The 33.33% restriction does not apply to experience because the increase for experience is to reduce the gap.
- The 33.33% restriction does apply to education because the increase for education is not to reduce the gap.
- The increase for experience is included in the denominator (the maximum available increase), but not in the numerator (the amount subject to the 33.33% requirement).

**EXAMPLE 2 - Using a salary increase for Academic Needs of Students to reduce the gap**

The salary range for returning teachers is $32,000 to $65,000.

Compensation plan factors and salary increase

Factors:
- Evaluation rating: Highly effective or effective prior year rating
- Academic Needs: The need to retain teachers whose current salary is less than $37,000
- Education: Possession of a content area Master’s degree (content area as defined by IDOE)

Increase amounts applied to base salary:
- Evaluation rating = $1,000
- Academic Needs - The salary increase for Academic Needs is to reduce the gap
  - Teachers whose current salary is between $32,000 and $32,999 = $1,500
  - Teachers whose current salary is between $33,000 and $35,999 = $1,750
  - Teachers whose current salary is between $36,000 and $36,999 = $2,000
- Possession of a content area Master’s degree = $1,000

**Step 1: Calculate the current average salary and the gap using the salary range for returning teachers.**

<table>
<thead>
<tr>
<th>Salary range</th>
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</thead>
<tbody>
<tr>
<td>Average salary</td>
<td>($32,000 + $65,000) ( \div 2 ) = $48,500</td>
</tr>
<tr>
<td>Gap</td>
<td>$48,500 - $32,000 = $16,500</td>
</tr>
</tbody>
</table>

The current gap between the minimum and average salary is $16,500.
**Step 2: Calculate the new average and the new gap with the salary increase for academic needs**

a. Calculate the minimum and maximum salaries with the salary increase for academic needs

   - Teacher at minimum salary: \( \$32,000 + \$1,500 \) for academic needs = \( \$33,500 \)
   - Teacher at maximum salary: \( \$65,000 + \$0 \) for academic needs = \( \$65,000 \)

b. Calculate the average and the gap using the new minimum and new maximum.

<table>
<thead>
<tr>
<th>New minimum and New maximum</th>
<th>( $33,500 ) to ( $65,000 )</th>
</tr>
</thead>
<tbody>
<tr>
<td>New average salary</td>
<td>( ($33,500 + $65,000) ÷ 2 = )</td>
</tr>
<tr>
<td>New gap</td>
<td>( $49,250 - $33,500 = )</td>
</tr>
</tbody>
</table>

**Step 3: Determine if the gap has been reduced**

| Amount gap has been reduced   | \( $16,500 - \$15,750 = \) | \( $750 \) |

As a result of the increase for the academic needs factor, the gap has been reduced by \( $750 \).

**Step 4: Determine compliance with the 33.33% requirement**

a. Calculate the maximum available increase

   - \( \$1,000 \) (evaluation) + \( \$1,500 \) (academic needs) + \( \$1,000 \) (education) = \( \$3,500 \)

b. Calculate the amount education contributes to the increase

   - \( \$1,000 \) (education) \( ÷ \) \( $3,500 \) (maximum available increase) = 29%

**TIP:** If the amount of the increase to reduce the gap gives more money to the minimum salary than the maximum salary, the gap will be reduced. If it gives a larger increase to the maximum salary than to the minimum, it will not reduce the gap.

For an examples of a salary increase differential designed to “reduce the gap”, see Model Compensation Plans #4 and #4A at [www.in.gov/ieerb/2411.htm](http://www.in.gov/ieerb/2411.htm).

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13 Because the salary increase for the academic needs factor is the increase used to reduce the gap, it is the only increase that is used in calculating whether the gap has been reduced. The gap after the salary increase for academic needs must be less than \( \$16,500 \).

14 The 33.33% restriction applies to education because the increase for education is not to reduce the gap.

15 The maximum available increase is sum of the increases for all factors. If the increase for a factor is differentiated, the highest amount of increase for that factor is used in the maximum available increase calculation.
Frequently Asked Questions

1. **If the minimum salary for newly hired teachers is less than the minimum salary for a returning teacher, why don’t we use that number as the minimum salary when calculating the current gap?**

   The average salary and gap are determined based on the salary range of returning teachers. Therefore, the minimum new hire salary is not applicable in the current year calculations.

   The compliance review of a salary increase designed to reduce the gap is a snapshot of the current contract year using the salary range before increases for returning teachers compared to the new minimum and maximum salaries for returning teachers after the “reduce the gap” increase.

   **Note:** The salary range for the following year may be different than the resulting salary range after all of the increases are implemented if new teachers were hired in the current year at a salary less than $36,000. For example:
   - Salary range after salary increases in 2018-19 = $36,000 to $67,000
   - New hire minimum salary in 2018-19 = $34,000
   - Assuming the new teacher hired for $34,000 in 2018-19 returns for the 2019-20 school year, the salary range for returning teachers at the beginning of 2019-20 = $34,000 to $67,000.
   - If the parties wish to reduce the gap in 2019-20, the salary range for calculating the current gap would be $34,000 to $67,000.

2. **If the gap is reduced by a specific salary increase (only one part of the total salary increase), but implementing the total increase causes the gap not to be reduced, does this mean it’s noncompliant?**

   No. Only the specifically identified “reduce the gap” salary increase is used in calculating whether the gap has actually been reduced. If the gap is reduced by this increase, the salary increase differential is compliant. None of the other salary increases are considered in the “reduce the gap” calculation.

3. **Can we still bargain a “catch-up” salary increase (without using identifying it as a “reduce the gap” increase) to bring returning teachers’ salaries up to the new minimum, even if this results in different amounts of salary increases for the affected teachers?**

   Yes, as long as the difference in the amount of salary increase (the salary increase differential) is based on one or more of the five factors and complies with the requirement that the combination of education and experience do not account for more than 33.33% of the total available increase.16

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16 If the definition of “instructional leadership” or “academic needs of students” includes experience and/or possession of an additional content area degree or credit hours as criteria within the factor, the factor will be included in the calculation of the 33.33%.
4. **Are parties required to use a “reduce the gap” salary increase to bring teacher salaries up to the new minimum?**

   No. Parties are not required to use a “reduce the gap” salary increase as part of a “catch-up” provision. However, a “reduce the gap” salary increase is one way to bring returning teacher salaries to a new minimum and may provide some additional benefits – e.g., it may result in less compression than a traditional “catch-up” provision and, if used correctly, provides an exemption from the 33.33% restriction.