

Reassignments and Reductions in Pay

Is this a demotion?





Demotion

A reassignment that effects a property right such that due process is required.

Robertson v. Victoria ISD

- Property interest: → Pay, Title, Duties
→ Professional Capacity
- Created by: → Contractual Language
→ State Law (T.E.C. Chapter 21)

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Generally, a property interest in employment
→ employment and pay protected



Plus, “mutually explicit understanding”
→ specific job assignment

Jett v. Dallas ISD, 798 F.2d
748, 754 fn. 3 (5th Cir. 1986).

When evaluating whether a reassignment might effect a property interest →



Step 1: What does the contract say?

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The Employee's Perfect Contract

- Specific assignment and campus
- No reassignment clause

Thomas v. Board of Trustees,
515 F. Supp. 280, 287 (S.D. Texas 1981)

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