

Title: Department of Education, Culture and Sports (DECS) vs. Roberto Rey C. San Diego

Facts:

Roberto Rey C. San Diego, a Bachelor of Science in Zoology graduate from the University of the East, applied to take the National Medical Admission Test (NMAT) for the fourth time after previously failing the test thrice. The DECS, adhering to its regulation that limits students to only three attempts at the NMAT, rejected his application. Pursuing his ambition to study medicine, San Diego filed a petition for mandamus with the Regional Trial Court of Valenzuela, Metro Manila. Initially, he invoked his constitutional rights to academic freedom and quality education. Subsequently, he amended the petition to directly challenge the constitutionality of MECS Order No. 12, Series of 1972, which established the “three-flunk rule,” claiming it violated due process and equal protection.

By agreement of the parties, San Diego was allowed to take the NMAT scheduled on April 16, 1989, subject to the case’s resolution. On July 4, 1989, the Regional Trial Court declared the “three-flunk rule” as arbitrary and invalid, ruling in favor of San Diego. The DECS then appealed to the Philippine Supreme Court to reverse the trial court’s decision.

Issues:

1. Whether the “three-flunk rule” pertaining to the NMAT is constitutional.
2. Whether the rule violates the applicant’s constitutional rights to academic freedom, due process, equal protection, or quality education.

Court’s Decision:

The Supreme Court, in a decision authored by Justice Cruz, overturned the trial court’s decision, sustaining the constitutionality of the “three-flunk rule.” The Court cited its earlier ruling in *Tablarin v. Gutierrez*, affirming the validity of the NMAT as a regulatory measure for admission to medical schools to ensure the competency of students pursuing a medical career.

The Court reasoned that the “three-flunk rule” is a reasonable extension of academic and professional regulation, not arbitrary or oppressive, and relates directly to the regulation of the medical profession. The State’s power to regulate medical education, including admission to medical schools, was upheld as a valid exercise of its police power.

The contention of San Diego that the rule infringed upon his right to quality education was dismissed on the grounds that this right is not absolute and must be balanced with academic requirements set forth by the State. Equal protection was also not violated as the regulation

applies equally among all applicants to medical school, ensuring equality among equals.

Doctrine:

The “three-flunk rule” as applied in the context of the NMAT is a constitutionally permissible exercise of the State’s police power to regulate entry into the medical profession. The police power requires a lawful subject and lawful method: it is exercised appropriately when it serves the public interest and employs reasonable means that are not unduly oppressive.

Class Notes:

- No constitutional right to become a physician; professional admission may be regulated.
- Police power: public interest must justify interference by State; means must be reasonable and not excessively oppressive.
- Right to quality education is balanced with “fair, reasonable and equitable admission and academic requirements.”
- Equal protection: equality among equals; must be a substantial distinction for differing treatment.
- Relevant provision: Constitution, Article XIV, Section 5(3) - “every citizen has the right to choose a profession or course of study, subject to fair, reasonable and equitable admission and academic requirements.”

Historical Background:

The case emphasizes the Philippine government’s commitment to maintaining high standards in professional fields, particularly in medicine, reflecting the period’s push for improved educational and professional competencies. It demonstrates the state’s increasing intervention in education to direct students toward professions where they would excel, aligning with a broader objective to enhance national development by optimizing human resources.