

Title: Sta. Maria vs. U.P. Board of Regents, 142 Phil. 570 (1969)

****Facts:****

Felixberto C. Sta. Maria was appointed Dean of the College of Education at the University of the Philippines (UP) for a five-year term starting on May 16, 1967. His tenure was disrupted in early 1969 when graduate and undergraduate students submitted numerous demands related to the college's academic program and facilities. President Salvador P. Lopez created a committee to dialogue with Sta. Maria about these demands, but by mid-1969, the students were dissatisfied with Sta. Maria's actions, claiming serious procedural grievances continued unresolved.

On July 16, 1969, student representatives visited President Lopez, accusing Sta. Maria of ignoring several critical demands. Subsequently, the Education Graduate Student Organization boycotted classes. On July 17, the students demanded Sta. Maria's resignation before they would resume classes. This ignited wider support from other UP colleges, leading to a campus-wide shutdown on July 23, 1969.

In response, President Lopez, with a vote of confidence from the College of Education faculty, issued Administrative Order 77 on July 23, transferring Sta. Maria to the Office of the President as a Special Assistant with the rank of Dean and without a salary reduction. On the same day, Nemesio R. Ceralde was appointed acting Dean of the College of Education.

Sta. Maria contested his removal, arguing it was unjust, unconstitutional, and done without due process. He repeatedly requested a formal investigation by the Board of Regents and sought reconsideration of the transfer order. The Board confirmed the transfer and appointment of Ceralde, deeming Sta. Maria's requests as matters to be discussed at future meetings.

As he felt his administrative remedies were exhausted, Sta. Maria filed a petition for certiorari, prohibition, and mandamus before the Supreme Court.

****Issues:****

1. Whether Sta. Maria's transfer constituted a removal which required due process of law.
2. Whether the conditions under which Sta. Maria was transferred met the requirements for security of tenure.
3. Whether the transfer was conducted in the interest of the service and thus justified without prior hearing.

****Court's Decision:****

****1. Transfer Constituting Removal:****

The Court held that Sta. Maria's transfer amounted to a removal from his position as Dean of the College of Education, which merited due process protections. The ambiguous language in the employment contract specifying a term "unless sooner terminated" did not entitle the University to remove Sta. Maria without cause or due process.

****2. Security of Tenure:****

The Court reinforced that Sta. Maria, having a definite term of appointment, could not be removed without cause, due process, and proper investigation. The procedural irregularities and the emergent circumstances surrounding the transfer highlighted deficiencies in adhering to due process requirements.

****3. Interest of the Service:****

The Court scrutinized the claim that the transfer was in the "interest of the service." It determined that the notion of an emergency does not obviate the need for observing procedural rules. Arguments that Sta. Maria was promoted or the change was temporary and in "interest of public service" were insufficient to bypass constitutional rights.

****Doctrine:****

The Court reiterated the principle that security of tenure is a constitutional right for public officials and employees. A public official with a fixed term may only be removed for cause and after due process, which includes notice, hearing, and investigation. The decision highlighted that administrative actions, even under emergent situations, must conform strictly to procedural due process requirements.

****Class Notes:****

- ****Key Elements in Security of Tenure:****

- Constitutionally protected right.
- Fixed-term appointments cannot be terminated without cause.
- Due process requires notice, hearing, and investigation before removal or transfer.
- ****Section 4, Article XII of the Constitution:**** "No officer or employee in the civil service shall be removed or suspended except for cause as provided by law."
- ****Civil Service Act of 1959, Section 32:**** Establishes that unconsented transfers which result in promotion or demotion must include notice and the opportunity for appeal.

****Historical Background:****

During the late 1960s, the University of the Philippines experienced significant student activism, mirroring global movements for academic reforms and greater participatory governance. Sta. Maria's case arose amidst such a backdrop, highlighting tensions between administrative decisions and student demands, and setting precedents for upholding due process rights even in the context of urgent and collective student actions.