

**\*\*Title:\*\***

# Ylarde v. Aquino: Teachers' Negligence and Liability for Student Safety

**\*\*Facts:\*\***

1. In 1963, Mariano Soriano was the principal of Gabaldon Primary School in Tayug, Pangasinan, and Edgardo Aquino was a teacher there.
2. Leftover concrete blocks from a destroyed school shop posed hazards. A fellow teacher, Sergio Banez, started burying these blocks in 1962.
3. On October 7, 1963, after class, Aquino instructed 18 male pupils to help dig around a one-ton concrete block. They were aged 10 to 11 years.
4. The work remained unfinished. The next day, Aquino gathered four of the original pupils—Reynaldo Alonso, Francisco Alcantara, Ismael Abaga, and Novelito Ylarde—to continue the task.
5. When the hole was deep enough, Aquino continued digging alone while the pupils remained inside, throwing out loose soil.
6. After finishing digging, Aquino left the children to level the soil around the hole to borrow a key for getting a rope, while instructing them “not to touch the stone.”
7. Minutes after Aquino left, three pupils jumped into the pit, and the fourth child jumped on the stone, causing it to slide into the pit, pinning Ylarde against the wall.
8. Ylarde suffered severe injuries and died three days later.

**\*\*Procedural Posture:\*\***

- Ylarde's parents filed a suit for damages against Aquino and Soriano.
- The Court of First Instance of Pangasinan dismissed the complaint, determining:
  1. The digging was part of their “Work Education” course.
  2. Aquino exercised utmost diligence.
  3. Ylarde's death resulted from his reckless imprudence.
- The Court of Appeals affirmed this decision.
- The petitioners then sought review from the Supreme Court.

**\*\*Issues:\*\***

1. Whether Aquino's actions constituted negligence under Article 2176 of the Civil Code.
2. Whether Soriano, as the principal, could be held liable under Article 2180 of the Civil Code for the student's death.

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

1. **\*\*Negligence of Aquino (Article 2176):\*\***

- Aquino acted with gross negligence by:

1. Using young pupils for manual labor to perform a hazardous task.
2. Allowing children to remain in a dangerous excavation site.
3. Leaving the children unattended near a heavy, unstable concrete block.
4. Failing to foresee the risk that the stone might fall.

- The Court ruled that the acts and omissions of Aquino directly caused the death of Ylarde. His failure to take due precautions was a gross negligence, leading to the fatal injury.

2. **Liability of Soriano (Article 2180):**

- The Court applied the doctrine from *Amadora v. Court of Appeals*, establishing that:

- In academic schools, the teacher, not the head of the school, is liable for student torts.
- In schools of arts and trades, only the head is liable for such events.

- As Gabaldon Primary School was academic and Soriano gave no instructions regarding the excavation, he could not be held liable.

**Doctrine:**

- The *Amadora Doctrine* elucidates the differentiated liability based on the type of school:
- Academic Schools: Teachers are liable.
- Schools of Arts and Trades: Heads of the institution are liable.

**Class Notes:**

- **Quasi-Delict:**

- Article 2176: Defines fault/negligence causing damage without pre-existing contractual relations.

- **Teachers' and School Heads' Liability:**

- Article 2180: Specifies liability of teachers and school heads for damages caused by students.

- **Negligence Test:**

- Ordinary prudent person standard.

- In cases involving minors, conduct is measured by average children behavior of the same age and maturity.

**Historical Background:**

- This case reflects the judicial reasoning on accountability of school authorities within the Philippine civil code framework, particularly following the principles established in the *Amadora* case. It underscores the duty of care expected from educators and the strict

differentiation between academic and vocational institutions regarding liability for student safety. The ruling aimed to enhance protective measures and foster a secure school environment while clarifying the scope of liabilities among educational personnel.