

Narduzzi names YSU in \$2.5 million suit

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A \$2.5 million law suit was filed against YSU Friday by former head football coach and athletic director William Narduzzi.

The civil suit filed in Mahoning County Common Pleas Court claims that Narduzzi was wrongfully fired from his athletic director's title in January 1983 and also wrongfully terminated from his head coaching position in June 1986.

The suit claims four counts of alleged wrongful dismissal:

possible violation of continuity of employment status; age discrimination; denial of due process and violation of the fourteenth amendment; and the defendant's conduct intentionally and recklessly caused emotional distress and aggravated the plaintiff's Hodgkin's disease.

YSU officials have denied comment on the suit and Monday afternoon referred the matter to the University's legal counsel, Atty Alan Kretzer, special assistant to the attorney general. Kretzer was appointed to represent the University in all legal matters.

Narduzzi contracted Hodgkin's disease during his employment with the University and according to the suit, the defendant (YSU) was aware that the plaintiff had developed the disease.

Hodgkin's disease is a chronic, progressive and ultimately fatal disease which enlarges the lymph nodes, spleen and often the liver and kidneys.

Narduzzi is currently the defensive coordinator for Columbia University and resides in Teaneck, N.J. He was recruiting and unavailable for comment at this time.

The 11-year YSU head coach stated in his suit that he was awarded continuity of employment status on June 23, 1982. This status implies continued indefinite employment.

The University has a continuity of employment status for non-teaching personnel. Under the board of trustees policy, the person must have completed five contract years and be appointed for the sixth year and be notified that he is receiving the status in writing from the president of the University.

According to the *Ohio Revised Code 3356*, the policy was enacted Nov. 4, 1977, repealed on March 15, 1982 and made effective again by the Board of Trustees and signed by President John Coffelt on July 21, 1983.

However, the current continuity of employment status re-

enacted in-1983 made a couple of changes. The changes included the exclusion of head athletic coaches and assistant coaches and took them off of the salary scale, according to Dr. Taylor Alderman, vice president of personnel services.

Narduzzi's suit, which was filed by his attorneys Edward C. Kaminski and James D. Kurek of the Buckingham, Doolittle and Burroughs law offices in Akron, said Narduzzi was terminated from his positions without due process and wasn't allowed to defend himself.

The suit also states "subsequently, defendant was notified in 1984 after receiving the honor of coach of the year in the Ohio Valley Conference that following the 1985 season his performance would be reviewed and employment continued based on his satisfactory performance."

However, Narduzzi claims he was reviewed from 1976 through 1983 and not reviewed in 1984 or 1985.

The suit also alleges that the University was discriminatory concerning Narduzzi's age when he was terminated. Kaminski said in a telephone interview, "Age discrimination is evident in the fact that a 50-year-old man was fired and replaced with a 33-year-old man." Jim Tressel, the present head YSU football coach, was 32 when he was hired. Tressel left a coaching position at Ohio



WILLIAM NARDUZZI

State University to accept the head coach position at YSU.

Kaminski said other factors involved the age discrimination part of the suit but he was unable to discuss them at this time.

Kaminski said that the suit was only against the University and no individuals were named in the case.

Narduzzi is asking for \$1 million in compensatory damages for loss of pay and \$1.5 million in punitive damages. The ex-head coach was making \$43,900 annually at the time of his dismissal.

Kaminski explained that \$1.5 million in punitive damages is being sought because Narduzzi's health was affected by the notification of his termination and because of the damage to his future career goals.

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"Hodgkin's disease is something that can go into remission or be inflamed and the conduct taken by the defendant was believed to be intentionally inflicted, causing my client to experience episodes due to his illness," explained Kaminski.

Kaminski also added that the decision to terminate Narduzzi as the head football coach affected the future career of his client.

"You can compare it to a student flunking out of one college and trying to begin over at another university," Kaminski said. "That blemish will always be on the student's record."

In 1985 the YSU Public Service Committee accepted the recommendation made by Athletic Director Joseph F. Malmisur that Narduzzi not be rehired as a coach.

Narduzzi's contract had expired and the failure to renew the contract was attributed in part by Malmisur to the coach's less-than-winning record. The Penguins compiled a 5-6 record in 1985. Malmisur also questioned Narduzzi's coaching techniques and lack of fan support.

Narduzzi established 68 wins and 51 losses during his 11 years as head coach for YSU.

He was named the Division II Kodak Coach of the Year in 1980 and the Ohio Valley Coach of the Year in 1984. His other accomplishments include taking the Penguins to back-to-back post-season play in 1978 and 1979.

YSU won its first Mid-Continent Conference championship in 1978 with a 10-2 record and repeated in 1979 with an 11-2 slate.

Narduzzi resigned from his athletic director's position in January 1983 after the administration suggested to the coach that he choose between the two positions, according to an article written in *The Jambar* January 11, 1983.

Lawrence Looby, then associate vice president of public services, said it was suggested to Narduzzi that he choose what position he would like to keep as a result of a policy adopted by the Board of Trustees in August of that year.

In the article the new policy, according to Looby, prohibited the role of dual positions in the administration and deems the coaching staff to be re-evaluated on the basis of performances. It also stated that no multi-year contracts will be awarded to any of the coaches.

However, it was also reported in that same article that these policy adjustments were not formally included in the written resolution passed in August and such documentation has yet to be produced.

When Narduzzi was appointed to the athletic director's position he was quoted in a July 24, 1980 issue of *The Jambar* as saying, "I'm really proud to have been thought of that highly by the administration here at YSU. This is really a big opportunity for me and I hope that I can prove capable of filling the position recently opened."