

Congress of the United States
House of Representatives
Washington, DC 20515-0547

February 28, 2025

Principal Daniel Morris
Edison High School
21400 Magnolia St.
Huntington Beach, CA 92646
dmorris@hbuhdsd.edu

Superintendent Dr. Carolee Ogata
Huntington Beach Union High School
District
5832 Bolsa Ave.
Huntington Beach, CA 92649
cogata@hbuhdsd.edu

Via electronic mail

Re: Termination of Chris Kluwe

Dear Principal Morris and Superintendent Ogata,

I write to you regarding reports that Edison High School fired an employee for exercising his First Amendment political speech rights outside the work place. As the representative for both Edison High School and also the terminated employee, Chris Kluwe, I am deeply concerned about what appears to be suppression of protected political speech.

The Orange County Register, among other outlets, has reported that Edison High School recently fired Chris Kluwe, a constituent of mine who was employed as a high school freshman football coach,¹ based on political speech he made earlier this month in which he criticized the Huntington Beach City Council for a proposed “MAGA” plaque at the Huntington Beach Central Public Library.² According to the Orange County Register, Kluwe has claimed that he was called into a meeting with Edison’s athletic director and assistant principal of supervision and told that “based on what’s going on we just feel it’s too much attention and we have to let you go.”³

As you know, all employees of Edison High School and the Huntington Beach Union High School District are government employees and thus are protected by the First Amendment, particularly for speech they have made as a public citizen on a matter of public importance.⁴

¹ Michael Slaten, *Chris Kluwe Says He Was Fired From Edison High School Football Coaching Job Following MAGA Protest*, THE ORANGE COUNTY REGISTER, Feb. 28, 2025, available at <https://www.ocregister.com/2025/02/27/chris-kluwe-says-he-was-fired-from-edison-high-school-football-coaching-job-following-maga-protest/>.

² Michael Slaten, *Former NFL Punter Arrested After Protesting ‘MAGA’ On Proposed Huntington Beach Library Plaque*, THE ORANGE COUNTY REGISTER, Feb. 20, 2025, available at <https://www.ocregister.com/2025/02/19/former-nfl-punter-chris-kluwe-arrested-for-disrupting-huntington-beach-council-meeting/>.

³ Slaten, *Chris Kluwe Says He Was Fired*, *supra* at FN 1.

⁴ See *Pickering v. Bd. of Education*, 391 U.S. 563, 568 (1968).

As the Supreme Court has held, “absent proof of false statements knowingly or recklessly made by him, a teacher’s exercise of his right to speak on issues of public importance may not furnish the basis for his dismissal from public employment.”¹

Political speech is at the heart of our First Amendment free speech protections, because America has first and foremost always stood as a place where we honor and cherish dissent and debate. I may not agree with everything Mr. Kluwe has said and done, but I know that the Constitution protects his rights to voice his opinions, and I have sworn an oath to “support and defend” those Constitutional rights. At a time when authoritarianism is on the rise around the world, and where the rule of law is increasingly under attack here at home, it is more important than ever that those of us in governmental leadership positions stand up for the rule of law and uphold our Constitution and the protections it provides to Americans.

If it is true, as Mr. Kluwe alleges, that Edison High School fired Mr. Kluwe for criticizing MAGA and fascism outside of the workplace, that would seem to be illegal and unconstitutional. I am writing to you to learn more about the circumstances of why Mr. Kluwe was fired. To that end, if you could answer the following questions, and reply to me no later than March 15, 2025, I would appreciate it. I am also sending a copy of this letter to California’s Attorney General Rob Bonta and California’s Superintendent of Public Instruction Tony Thurmond as well as to the Board Members for Huntington Beach Union High School District (HBUHSD).

- What was the justification for firing Mr. Kluwe?
- Was Mr. Kluwe previously notified of any workplace concerns or any other issues related to his job performance?
- Is it correct, as Mr. Kluwe alleges, that he was told that his political speech was drawing “too much attention” and that was the justification for his termination?
- What was the process by which the decision to terminate Mr. Kluwe’s employment was made?
- Who was involved in the deliberations around the decision to fire Mr. Kluwe?
- Was the content of Mr. Kluwe’s speech—including his criticism of MAGA and the Huntington Beach City Council—ever brought up in any of the discussions around terminating Mr. Kluwe?
- Did Edison High School or any of its employees, or HBUHSD or any of its employees, receive any communications related to Mr. Kluwe’s speech from anyone affiliated with Huntington Beach City Council or the Huntington Beach City Attorney’s office?

¹ *Id.* at 574.

- Was the process by which Mr. Kluwe was fired consistent with the process used to terminate other employees at Edison High School and HBUHSD?
- What protections and procedures are currently in place to protect free speech and employee due process in HBUHSD and at Edison High School?
- Finally, under the California Public Records Act, I am requesting from Edison High School and Huntington Beach Union High School District any and all records (including all “public records” and “writings”, including information on officials’ personal devices, cell phones, and social media accounts if these relate to the public’s business, such as district and non-district emails, instant messages, direct messages, voicemails, written notes, and other records) related to the decision to terminate Chris Kluwe's employment (including all records that include the words “Chris Kluwe” or reference to him or his position or employment).

Thank you for your public service. I look forward to reading your response.

Very truly yours,



Dave Min
Member of Congress
California’s 47th Congressional District

Cc: California Attorney General Rob Bonta
California Superintendent of Public Schools Tony Thurmond
Huntington Beach Union High School District (HBUHSD) President Susan Henry
HBUHSD Vice President Dr. Bonnie Castrey
HBUHSD Clerk Diana Carey
HBUHSD Alternate Clerk Dr. Duane Dishno
HBUHSD Member Christine Hernandez