

To: Assistant Secretary Kimberly Richey

Office of Civil Rights

The United States Department of Education

From: Texas Values

RE: Texas woman swimmer who was forced to compete with male swimmer,
faced consequences for speaking out

Date: October 29,2025

Sent via email

Dear Secretary Richey,

We would like to bring to your attention an issue involving a woman in Texas who was forced to compete against male athletes and was subsequently denied her right to compete once she spoke up.

For background, Texas Values is the largest statewide organization in the state of Texas that advocates for issues related to faith, family, and freedom in the courts, the Texas legislature, and the media. We were the leading organization that helped pass laws in Texas in 2021 and 2023 that keep men out of girls' and women's sports. We also recently led efforts to pass legislation to protect women and girls in their private spaces such as locker rooms and showers. We often work with everyday Texans to help amplify their concerns regarding issues that either violate laws that exist in Texas or influence laws that need to be passed. Thus, we often have supporters call us and request our help.

Recently, a supporter from San Antonio, Texas called us about her unfair and disturbing experience swimming against two male athletes at a U.S. Masters Swimming competition held earlier this year in San Antonio. You may be familiar with the news surrounding one of the men who competed, 47-year-old "Ana Caldes", who was covered in many online stories and has recently been suspended by World Aquatics for 5 years. Through information given to us from swimmer's forum called "Swim Swam", we have discovered that Ana Caldes birth name is Hugo Caldes, which he changed to "Hannah" in 2010 before assuming his sister's name "Ana Do Carmo". Today he goes by Ana Caldes but you may see

reports refer to him as Hannah. While Mr. “Ana” Caldes’ suspension appears to be good news, our supporter, Rita, has shared with us that she was punished for speaking out for having to compete and share a locker room with Mr. Caldes and another male swimmer, “Jennifer Rines”.

Rita has been a dues-paying member of U.S Masters Swimming for nearly 7 years and competed in the National Championship for the 45-49 women’s division. Northside Independent School District, located in San Antonio, Texas, was in partnership with U.S Masters Swimming and they provided the location for training and competitions. The event where Rita was forced to compete against the two men was held at the Northside ISD Natatorium, which is where Rita practices and trains on a regular basis. Northside ISD Natatorium is a facility operated and controlled by Northside ISD public school district. Since the competition, Rita has submitted a letter to the Office of Civil Rights of the Department of Education, the Texas Education Agency, the Alamo Area Masters Swimming Leadership, and the Northside ISD. While Rita awaited a response, U.S. Masters Swimming issued an eligibility policy on July 1, 2025 that would effectively allow swimmers to compete in meets based on their gender identity. On July 29, Rita and other members of U.S. Masters Swimming received an [email](#) from Brandon “BJ” Allenstein explaining that members of USMS must adhere to the “Swimsuits Not Lawsuits” campaign and told swimmers that if they do not like the current rules on eligibility then to not register to be a part of the Masters program. BJ Allenstein even told swimmers what they must say about the men who were allowed to compete whenever they are on social media, at the pool, or talking to members of the community. BJ emphasizes that “trans women” are allowed to participate but will not be eligible for competitive recognition under the July 1, policy. BJ Allenstein dismisses Rita and others’ concerns about the locker rooms by saying that locker room access is not part of their policy. Allenstein says that all local, state, and federal laws on locker rooms and bathrooms should be followed; however, Rita observed that Northside ISD had a clear and visible policy on men not being in women’s locker rooms at the time of the competition.

Following the email, Rita continued to seek a resolution. Rita and other swimmers spoke out at a Northside ISD school board meeting. After testifying at a meeting, Rita had a phone meeting with Northside ISD Superintendent John Craft

who dismissed her concerns and said that her issue did not involve the school district. Within 48 hours, Northside ISD abruptly canceled the U.S. Masters swimming program in Northside ISD that had existed for 50 years. Now Rita and fellow female athletes cannot participate in the program and do not have an Olympic grade pool to practice and get competitive exercise. Unfortunately, other swimmers in the program have falsely blamed Rita for the U.S. Master's program ending when in fact the program ended because U.S. Masters wanted men to compete against women. Clearly, the U.S. Masters program chose the rights of the male swimmers over the female swimmers.

We are writing to you on behalf of Rita because we believe many Texas laws were violated. First, Texas has laws that require that K-12 and college athletes must compete on sports teams that align with their biological sex as stated accurately on their birth certificate. The U.S. Masters competition involves adult competitors who are not in school; however, the competition in San Antonio was held on a K-12 public school campus that must adhere to Texas law. It is notable that after Rita submitted letters and testified publicly reminding Northside ISD of Texas laws on women's sports, that the school abruptly decided to cancel their partnership with U.S. Masters who still has a policy allowing men to swim against women.

Secondly, Rita has brought to our attention that Northside ISD, like many other school districts in Texas, has a policy that separates private spaces like locker rooms based on biological sex. According to U.S. Masters own admission, this policy should have been followed and Ana Caldes and Jennifer Rines should not have had access to the female locker rooms. Texas just passed a law that prohibits men from entering private spaces, which includes locker rooms. This law, The Texas Women's Privacy Act, will go into effect on December 4.

We hope that you can assist us with seeking a resolution for Rita and other female swimmers in Texas. We ask that:

1. The Office of Civil Rights investigate why Northside ISD ended the U.S. Masters Swimming program
2. Investigate U. S. Masters Swimming refusal to align their policies with World Aquatics, President Donald Trump's Executive Order Acknowledging

Two Sexes, and Texas laws prohibiting men from competing in women's sports

3. Investigate why Northside ISD refused to enforce their own policies by allowing male swimmers to enter the female locker rooms
4. Help Rita and other female swimmer to gain access back to the U.S. Masters Swimming program and Olympic grade swimming pools in their area and receive a refund of the competition fees they paid to compete in the meet where Ana Caldes and Jennifer Rines competed

Ultimately, we want U.S. Masters and Northside ISD to acknowledge their wrongdoing of allowing male athletes to compete against women and enter their locker rooms. We believe that the Office of Civil Rights can provide assistance in holding both Northside ISD and the U.S. Masters competition accountable. Rita and other female athletes in San Antonio should have their right to compete and have access to Olympic grade pools restored.

Sincerely,

Texas Values

Jonathan Saenz, President and Attorney for Texas Values

Mary Elizabeth Castle, J.D., Director of Government Relations for Texas Values

Jonathan Covey, Director of Policy for Texas Values

About Texas Values

The Texas Values mission is to preserve and advance a culture of family values in the state of Texas. **The Texas Values vision** is to stand for biblical, Judeo-Christian values by ensuring Texas is a state in which religious liberty flourishes, families prosper, and every human life is valued.

Texas Values promotes our core values of faith, family, and freedom in Texas through: Policy research, Public education and standing for truth in the media, Grassroots mobilization, Voter education, Reviewing legislation and providing

legal analysis; and Testifying at the Texas Legislature, State Board of Education, and other governmental entities.