

This Article evaluates the new OCR policy in the context of the complete suite of Title IX regulations and policy interpretations issued over the last four decades. It begins with a brief history of Title IX in athletics, including a discussion of the relevant documents that have modified the statute and implementing regulations. It highlights concerns expressed about the 2005 Additional Clarification and Model Survey, and evaluates the concerns raised in the 2010 USCCR Report. The Article then discusses what the 2010 Clarification adds to or takes away from existing Title IX policy, and concludes with a discussion of how this policy appears designed to force schools toward a social-engineering-inspired goal of proportionality, once again, by making it more difficult to comply with the law any other way.