



Obama's NCLB waivers labeled unconstitutional

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An education expert with the Cato Institute says it's obvious President Obama doesn't care if his attempts to circumvent federal education law are constitutional or not.

The Obama administration has announced ten states are receiving waivers from the education standards dictated by the No Child Left Behind federal law. While congressional Democrats and Republicans both agree NCLB has problems and is in major need of repair, they have been unable to reach an agreement on how to revise the law.

But Neal McCluskey, associate director of the [Cato Institute](#)'s Center for Education Freedom, says the president is overreaching his authority in issuing these waivers.

"The main thing he's trying to do is offer waivers to make it seem like he is doing what Congress refuses to do," states McCluskey. "[It's] irrelevant to him whether what he's doing is wholly unconstitutional, which it is."

The states that were granted the waivers will not be required to meet the mandate of the law that says all students need to be proficient in reading and math by 2014.

"These waivers are simply the president saying *Well, I think Congress is too slow and so I unilaterally will dictate education policy* -- which should be very concerning to anybody who doesn't want to have the rule of the single person, in this case the president of the United States," offers the Cato spokesman.

Twenty-eight other states, the District of Columbia, and Puerto Rico all say they, too, will be seeking waivers from No Child Left Behind.