



Free Press Viewpoint

Texting ban has no legal punch

Some days, you have to wonder what those people in Topeka are thinking about when they write our laws.

Starting on Thursday, for instance, Kansas will have a law banning people from sending or reading text messages while driving. However, police can't write any tickets until Jan. 1. Only warnings.

If texting, or cell phone use in general, was really that much of a problem, how can we afford to wait half a year?

The truth is, only about 6,000 accidents a year are attributed to "distracted" drivers from all causes, including phones and texting, in the entire country. The number of injuries is minimal. But sending texts sure seems dangerous, so we have a law against it.

That's bad? Look at the list of exemptions: The law excludes police officers and other emergency services workers. You'd think that if texting was dangerous, the last people you'd want doing it are people driving emergency vehicles. Go figure.

Ordinary citizens can send and receive texts when stopped off the roadway, when receiving emergency or traffic and weather alerts, to report crimes, or to prevent "imminent injury" or property damage.

This is a "feel-good" law. Emotionally, everyone agrees that texting while driving must be bad, though there's no actual evidence. So, pass a law against it, but hey, it's no big deal.

In the same bill, at the last moment, the state Legislature stuck a provision banning anything from covering all or part of a license plate, either a clear cover that interferes with readability or something opaque.

All or part ... that must include those obnoxious dealer brackets that cover up the state and other information. We've always said, "there outta be a law..." But still, not exactly a public emergency.

The worst thing about that provision is, apparently, it was added at the last minute in a House-Senate conference committee. It was never given a committee hearing, never opened up for public comment, just rammed through both houses when everyone wanted to go home.

That's a poor way to make public policy. Surely some groups — the auto dealers who hand out those plate holders come to mind — would have objected at an open hearing.

Laws should be made out in full view, with plenty of time for comment and advice. Not late at night, at the end of a session, when the people who might care are not listening, maybe even not present.

But that's what passes for good government in most states, even in the U.S. Congress.

But we digress. If you think some of the traffic laws are silly and riddled with exemptions, there's the "statewide smoking ban" that allows smoking in state-owned casinos.

Hey, if it's bad, it's bad. That law will be tied up in court for some time, by the way, since owners of a handful of bars and bingo parlors think it's unfair to exempt the state and not them. They sued, and who could blame them?

But nobody said laws have to make sense. — Steve Haynes

We encourage comments on opinions expressed on this page. Mail them to the Colby Free Press, 155 W. Fifth St., Colby, Kan., 67701, or e-mail colby.editor@nwkansas.com. Opinions do not necessarily reflect those of the Free Press, its staff or the owners.

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"The national debt is the biggest threat to national security."

--Adm. Mike Mullen
Chairman of the
Joint Chiefs of
Staff

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"We have met the enemy and he is us."

--Pogo Possum,
comic strip character



Storm's evidence takes time to discover

The toner wasn't set on the page, much less the ink dry on the paper for last week's column, when the storm hit.

We were putting *The Oberlin Herald* together on Monday night when one of the staff said, "I think it's raining."

This turned out to be an understatement. It was raining. It was hailing. The wind was blowing. The street was running bank full.

We went back to work and got the paper finished and sent off to the press.

Steve stayed behind to finish up some office details and I headed home through streets that looked more like cement-sided canals. I was a little afraid I would drown my engine if I hit a dip.

At home, I discovered a mess on the back porch.

A large houseplant, which had come from my father's funeral 15 years ago, and spends each summer on the porch, was overturned and the pot broken. A railroad marker lamp that normally shines from a post on the back porch was torn from its moorings and lay on its side. And the spa cover was pulled up and tossed to the far side of the porch.

The first order of business was to replace the cover, take the marker light inside for Steve to check out in the morning and right the plant.

The pot was broken but not destroyed,



Cynthia Haynes

• Open Season

so I used a pancake turner to scrape up the spilled soil and called Steve at the office so he wouldn't track the mud all over the floor when he came home.

It was midnight and still raining, so I called it a night and went to bed.

When he came to bed an hour later, Steve asked if I had noticed the limb in the front yard.

Nope. The morning brought sunshine and a good look at the devastation.

The limb in the front yard was the size of a medium tree, and it was laying upside down on the brushes and leaning against the house with its trunk inches from a window. But the house had only little holes and smashed gutters, no big holes or broken windows.

Over in the gardens, it was a different story. Two or three medium-sized limbs had landed on the side garden, so that a mixture of bent

tomato poles, pepper plants and cucumber tendrils were all that could be seen.

In the main garden, the corn was all leaning to the west. It looked like every stalk was bowing to the dog pen.

The first order of business was rescuing the tomatoes, peppers and cucumbers.

I removed the limbs, straightened the stakes and pulled most of the remaining spinach, since it was flattened anyway, and I'd have had to step on it to get to the tomatoes.

When all the junk was pulled away, it looks like I've only lost one tomato plant and several green tomatoes.

Over the past week, the corn has started to straighten up and the little white butterflies that beget little green worms have returned.

The tree man came on Friday and reduced the limb on the front to a small pile of firewood. So, we're almost back to where we were a week ago — less one tomato plant and some miscellaneous siding, gutters and decorative bushes.

Cynthia Haynes, co-owner and chief financial officer of NorWest Newspapers, writes this column weekly. Her pets include cats, toads and a praying mantis. Contact her at c.haynes@nwkansas.com

Teacher gatekeeping starts in college

Not everyone who wants to be a surgeon has the skills. Nor can anyone who wants to be a classroom teacher become one.

An important duty of any profession is to exclude those who cannot perform well.

Sadly, this "gatekeeping" does not always happen. Most of us remember those good teachers who worked with us, who cared and who moved us ahead in our skills and understanding. But some can also recall a teacher who didn't care, who "nine-to-fived" the job and was out of there when the last bell rang.

These few are a problem, just as an incompetent surgeon is a problem. Students make less progress under their watch. And a public that is asked to support educational costs remembers not only the many good teachers that deserve a competitive wage, but the few who do not.

Gatekeeping should take place during the academic preparation of teachers. That requires time for sustained contact with college professors.

Sure, there are entrance tests. Most teacher programs in Kansas use a test to ensure minimum performance in math, reading and writing. But tests do not detect those student teachers who do not belong in a classroom.

Any principal can tell you that there are many critical teaching skills that never appear on a test. Can you show up day-after-day? Can you keep discipline without tyranny? Do you not only know your subject but can you translate it into a sequence of lessons appropriate to the age and ability of students? Can you develop a rapport that supports both the class dynamics and the individual child as well? Are you a model of human decency? And, do you really like kids?

These really take four years of face-to-face interaction to detect. In my biology department, before we send a senior out to student teach, our faculty must sit together and approve that



John Richard Schrock

• Education Frontlines

placement. The criteria are not course grades or state teacher tests, but "Would you want this student teaching your child?"

If they did not attend class, we cannot expect them to be on the job every day. If they did not complete their coursework on time, how can they plan and deliver lessons on time? If they are not mature and respectful in the college classroom, how can they deserve respect as teachers in the classroom?

It is in the day-to-day rich interactions with our teacher candidates that we gain a measure of their honesty, their work ethic, their communication skills, and their fitness to teach the next generation of Kansans.

Over the years, we have said "no" to student-teacher applicants who have adequate grades but who fail to meet our subjective judgment. And the courts fully recognize and support such gatekeeping in teacher-training and other professions.

It is getting harder to make these judgments as more students attend community colleges (due to cost), and we only have a few semesters of contact, rather than four years, on which to base judgments. In the rare cases where I have to "wash out" a student in the midst of teaching, it is nearly always a case where the student transferred to us too late for us to know them well enough.

This is the major reason that absolutely no online teacher preparation programs should ever be approved in Kansas. Online programs completely eliminate our ability to detect the

deficiencies of personal integrity, skills and performances that can only be detected by face-to-face interactions over several years. Online programs assert they will do this in the student teaching experience. They cannot; student teaching is too little and too late.

When gatekeeping fails, it takes a competent administrator to dismiss an incompetent tenured teacher. But until a teacher is tenured, there is no need to give a reason for not renewing a contract.

The dilemma faced by administrators, especially in more remote schools, is finding a good teacher replacement rather than an out-of-field long-term substitute. Teacher-training schools should not be producing incompetent teachers, and public schools should not be keeping them.

As with all professions, it is a small but important problem.

John Richard Schrock, a professor of biology and department chair at a leading teacher's college, lives in Emporia. He emphasizes that his opinions are strictly his own.

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