



# MONTGOMERY COUNTY BOARD OF EDUCATION

*Expanding Opportunity and Unleashing Potential*

15 West Gude Drive ♦ Suite 100 ♦ Rockville, Maryland 20850

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**BILL:** SB 219

**TITLE:** Public Schools - Airway Clearing Device Availability and Use - Policy (Bowen Levy Airway Clearing Device Act)

**DATE:** February 18, 2026

**POSITION:** Oppose

**COMMITTEE:** Education, Energy, and the Environment

**CONTACT:** Patricia Ursprung, Coordinator, Legislative Affairs

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The Montgomery County Board of Education opposes Senate Bill 219.

This bill requires local education agencies (LEAs) to establish a policy that would require the LEA to maintain at least one airway clearing device at each school and train school nurses and other school personnel to properly use the device in the case of a choking emergency.

On August 21, 2025, the Montgomery County Board of Education adopted a legislative platform that contains priority issues and ongoing concerns. One of the ongoing concerns is preserving local autonomy. Based on this platform position, the Montgomery County Board of Education opposes legislation that would infringe on local control. Bills that fall into this category require specific school system action and may impact areas such as school calendars, school start times, curriculum, testing, procurement, and other operational decision-making. The platform also permits that Board to oppose bills that contain unfunded mandates, i.e. bills that would result in a fiscal impact on the school system with no identified funding source.

Senate Bill 219 contains an unfunded operational mandate. Purchasing airway clearing devices for each of the 215 schools operated by Montgomery County Public Schools could cost an estimated \$50,000 over the next five fiscal years, which represents the initial purchase of the devices and replacements at a rate of 10% per year. Further, the directive that each school have a device removes local autonomy and the Board or administration's ability to determine what is best for Montgomery County Public Schools as a whole, and individual schools therein.

Because Senate Bill 219 is an unfunded mandate that infringes on local control, the Board opposes this bill pursuant to its adopted platform.