

(II) THE MARYLAND HIGHER EDUCATION COMMISSION, AND

(III) ALL OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.

(3) UPON RECEIPT OF A PROPOSED NEW PROGRAM, THE COMMISSION SHALL NOTIFY ALL OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.

(B) THE BOARD OF REGENTS INSTITUTION'S GOVERNING BOARD SHALL:

(1) REVIEW THE ACTIONS TAKEN UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) ENSURE THAT ANY NEW PROGRAM PROPOSED TO BE ESTABLISHED BY A PRESIDENT:

(I) 1. OF A PUBLIC INSTITUTION OF HIGHER EDUCATION IS CONSISTENT WITH THE INSTITUTION'S APPROVED MISSION STATEMENT UNDER SUBTITLE 3 OF THIS TITLE; AND OR

2. OF A NONPUBLIC INSTITUTION OF HIGHER EDUCATION IS CONSISTENT WITH THE INSTITUTION'S MISSION STATEMENT FILED WITH THE COMMISSION; AND

(II) CAN BE IMPLEMENTED WITHIN THE EXISTING PROGRAM RESOURCES OF THE INSTITUTION; AND

(3) APPROVE THE PROPOSED NEW PROGRAM WITHIN 60 DAYS IF THE PROGRAM MEETS THE CRITERIA IN PARAGRAPH (2) OF THIS SUBSECTION, SUBJECT TO THE PROVISIONS OF SUBSECTIONS (C) AND (D) OF THIS SECTION.

(C) (1) WITHIN 30 DAYS OF RECEIPT OF A NOTICE OF AN INSTITUTION'S INTENT TO ESTABLISH A NEW PROGRAM IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION, AN INSTITUTION MAY FILE AN OBJECTION TO THE IMPLEMENTATION OF THE PROGRAM WITH THE COMMISSION IF THE OBJECTION IS BASED ON:

(I) INCOMPATIBILITY OF THE PROPOSED PROGRAM WITH THE MISSION OF THE INSTITUTION;

(II) LACK OF MARKET DEMAND FOR THE PROPOSED PROGRAM;

(III) PROGRAM DUPLICATION; OR

(IV) VIOLATION OF THE STATE'S EQUAL EDUCATIONAL OPPORTUNITY REQUIREMENTS OF STATE AND FEDERAL LAW.

(2) (1) IF AN OBJECTION IS NOT FILED WITHIN 30 DAYS, THE INSTITUTION MAY IMPLEMENT THE PROGRAM.

(II) IF AN OBJECTION IS FILED WITHIN 30 DAYS, THE COMMISSION SHALL REVIEW THE REASONS FOR THE PROPOSED PROGRAM AND THE REASONS FOR THE OBJECTION AND WITHIN 30 DAYS MAKE A DETERMINATION.