

intent to establish a new program, the Commission shall immediately notify the institution's governing board and president.

(2) The Commission shall determine if an institution's objection is justified based on the criteria in subsection (c) of this section.

(3) An objection shall be accompanied by detailed information supporting the reasons for the objection.

(4) If the Commission determines that an objection is justified, the Commission shall negotiate with the institution's governing board and president to modify the proposed program in order to resolve the objection.

(5) If the objection cannot be resolved within 30 days of receipt of an objection, the Commission shall make a final determination on approval of the new program.

(e) (1) The Commission shall:

(i) Identify programs established under subsection (a) of this section that are inconsistent with the State Plan for Higher Education; and

(ii) Identify low productivity programs.

(2) If the Commission identifies any programs that meet the criteria set forth in paragraph (1) of this subsection, the Commission shall notify the president of the institution.

(3) IF THE COMMISSION NOTIFIES A PRESIDENT OF AN INSTITUTION UNDER PARAGRAPH (2) OF THE SUBSECTION, WITHIN 60 DAYS THE PRESIDENT OF THE INSTITUTION SHALL PROVIDE TO THE COMMISSION IN WRITING:

(I) AN ACTION PLAN TO ABOLISH OR MODIFY THE PROGRAM; OR

(II) JUSTIFICATION FOR THE CONTINUATION OF THE PROGRAM.

(f) The Commission and the governing boards of the public institutions of higher education shall jointly develop a definition and accepted criteria for determining low productivity programs.

(g) The Commission shall:

(1) Monitor the program development and review process established under this section;

(2) Report annually to the Governor, the Board of Regents, and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the nature and extent of any duplication or proliferation of programs; and

(3) On or before [January 1, 2002] JANUARY 1, 2004, submit a report to the Governor, the Board of Regents, and, in accordance with § 2-1246 of the State Government Article, the General Assembly on: