

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

(ii) Identify low productivity programs AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

(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 this 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)~~ (H) 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)~~ (I) 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, 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:~~

~~(i) The impact of the program development and review process on the quality and accessibility of postsecondary education in the State; and~~

~~(ii) Any increased costs due to duplication of programs~~ MAKE AVAILABLE A COPY OF THE REPORT UNDER PARAGRAPH (2) OF THIS SUBSECTION TO THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND THE NONPUBLIC INSTITUTIONS OF HIGHER EDUCATION.

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(d) With respect to each institution under its jurisdiction, and subject to the provisions of Title 11 of this article, in consultation with the Chancellor, the Board shall:

(1) Review each new program proposed to be established and implemented within existing program resources in accordance with § 11-206.1 of this article;

(2) Ensure that the new program: