

# HOUSE BILL 1244

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CF SB 1022

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By: **Delegates Smith, Addison, Amprey, Attar, Bagnall, Boaf, Davis, Edelson, Harris, Henson, R. Lewis, Queen, Rogers, Ruff, Taylor, Toles, Wilkins, and Williams**

Introduced and read first time: February 8, 2024  
Assigned to: Appropriations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 1, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Higher Education Commission – Academic Program Approval and**  
3 **Institutional Mission Statements – Requirements**

4 FOR the purpose of requiring the Maryland Department of Labor, the Department of  
5 Commerce, and the Maryland Higher Education Commission to each ~~have a certain~~  
6 ~~staff member who performs~~ perform certain duties related to defining, identifying,  
7 and compiling data regarding the workforce needs in the State and ~~who works work~~  
8 collaboratively across certain agencies in a certain manner; altering certain  
9 requirements for the State Plan of Higher Education; requiring the Commission to  
10 establish a Program Review Process Advisory Council; altering certain requirements  
11 regarding the Commission's academic program approval process; requiring the  
12 Commission to develop and publish on its website on or before a certain date an  
13 administrative procedures guide for the Commission's program review process;  
14 requiring the Commission to conduct a review of certain approved programs that  
15 were subject to an objection of a historically Black college or university; requiring  
16 certain institutions of higher education to submit to the Commission a certain letter  
17 of intent regarding intended new graduate programs; establishing the Proposed  
18 Programs Collaborative Grant Fund to award grants to certain public institutions of  
19 higher education that collaborate to establish and implement new academic  
20 graduate programs; authorizing the Commission to develop a program review  
21 process for certain online programs in a certain manner; authorizing the Commission  
22 or an institution of higher education to file an objection to implementation of a  
23 proposed online program under certain circumstances; providing that academic

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 program proposals for certain graduate level programs may be proposed and  
2 implemented only by certain institutions, except under certain circumstances;  
3 altering requirements for the Commission's review and approval of the mission  
4 statements of public institutions of higher education; requiring the Commission, in  
5 collaboration with institutions of higher education, to evaluate the process for  
6 reviewing academic program proposals for a certain purpose and to review the  
7 standard for triggering a review of a substantial modification to an existing academic  
8 program; requiring the Commission to update the State Plan for Higher Education  
9 on or before a certain date; and generally relating to academic program approval,  
10 institutional mission statements, and the Maryland Higher Education Commission.

11 BY renumbering

12 Article – Education

13 Section 11–105(a) through (x), 11–206.2, 11–206.3, and 11–206.4

14 to be Section ~~11–206.5, 11–206.6, and 11–206.7~~ 11–105(b) through (y), 11–206.6,  
15 11–206.7, and 11–206.8, respectively

16 Annotated Code of Maryland

17 (2022 Replacement Volume and 2023 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – Business Regulation

20 Section 1–101(a) and (f)

21 Annotated Code of Maryland

22 (2015 Replacement Volume and 2023 Supplement)

23 BY adding to

24 Article – Business Regulation

25 Section 2–103.2

26 Annotated Code of Maryland

27 (2015 Replacement Volume and 2023 Supplement)

28 BY repealing and reenacting, without amendments,

29 Article – Economic Development

30 Section 1–101(a) and (c)

31 Annotated Code of Maryland

32 (2018 Replacement Volume and 2023 Supplement)

33 BY repealing and reenacting, with amendments,

34 Article – Economic Development

35 Section 2.5–106(17) and (18)

36 Annotated Code of Maryland

37 (2018 Replacement Volume and 2023 Supplement)

38 BY adding to

39 Article – Economic Development

40 Section 2.5–106(19)

41 Annotated Code of Maryland

1 (2018 Replacement Volume and 2023 Supplement)

2 BY repealing and reenacting, with amendments,  
3 Article – Education  
4 Section 11–104, ~~11–105(b)(2) and (3)~~, 11–106, 11–206, 11–206.1, and 11–302  
5 Annotated Code of Maryland  
6 (2022 Replacement Volume and 2023 Supplement)

7 BY adding to  
8 Article – Education  
9 Section 11–105(a), 11–206.2, 11–206.3, ~~and~~ 11–206.4, and 11–206.5  
10 Annotated Code of Maryland  
11 (2022 Replacement Volume and 2023 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Education  
14 Section 11–105(c)(2) and (3)  
15 Annotated Code of Maryland  
16 (2022 Replacement Volume and 2023 Supplement)  
17 (As enacted by Section 1 of this Act)

18 BY repealing and reenacting, without amendments,  
19 Article – State Finance and Procurement  
20 Section 6–226(a)(2)(i)  
21 Annotated Code of Maryland  
22 (2021 Replacement Volume and 2023 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Article – State Finance and Procurement  
25 Section 6–226(a)(2)(ii)189. and 190.  
26 Annotated Code of Maryland  
27 (2021 Replacement Volume and 2023 Supplement)

28 BY adding to  
29 Article – State Finance and Procurement  
30 Section 6–226(a)(2)(ii)191.  
31 Annotated Code of Maryland  
32 (2021 Replacement Volume and 2023 Supplement)

33 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
34 That Section(s) 11–105(a) through (x), 11–206.2, 11–206.3, and 11–206.4 of Article –  
35 Education of the Annotated Code of Maryland be renumbered to be Section(s) ~~11–206.5,~~  
36 ~~11–206.6, and 11–206.7~~ 11–105(b) through (y), 11–206.6, 11–206.7, and 11–206.8,  
37 respectively.

38 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
39 as follows:

1 **Article – Business Regulation**

2 1–101.

3 (a) In this article the following words have the meanings indicated.

4 (f) “Department” means the Maryland Department of Labor.

5 **2–103.2.**

6 **THE DEPARTMENT SHALL HAVE AT LEAST ONE FULL–TIME STAFF MEMBER**  
7 **WHO IS RESPONSIBLE FOR:**

8 **(1) DEFINING, IDENTIFYING, AND COMPILING DATA ON STATE AND**  
9 **REGIONAL WORKFORCE NEEDS; AND**

10 **(2) WORKING COLLABORATIVELY WITH THE DEPARTMENT OF**  
11 **COMMERCE AND THE MARYLAND HIGHER EDUCATION COMMISSION TO PRODUCE**  
12 **UNIFORM AND CONSISTENT BASELINE DATA, INCLUDING COMMON SOURCES AND**  
13 **MEASUREMENTS, ABOUT WORKFORCE NEEDS TO INFORM STATE POLICIES**  
14 **RELATING TO POSTSECONDARY EDUCATION.**

15 **Article – Economic Development**

16 1–101.

17 (a) In this division the following words have the meanings indicated.

18 (c) “Department” means the Department of Commerce.

19 2.5–106.

20 The Department shall:

21 (17) facilitate regular meetings among its regional experts, financial  
22 incentive team, and tourism development team to determine the success in meeting overall  
23 economic development strategic goals and in addressing the economic development needs  
24 of each region; [and]

25 (18) work with community colleges to enhance the role of community  
26 colleges in providing workforce training services, including industry–specific education and  
27 training in response to the needs of the State; AND

28 **(19) ~~HAVE AT LEAST ONE FULL–TIME STAFF MEMBER WHO IS~~**  
29 **~~RESPONSIBLE FOR:~~**



(II) WORKING COLLABORATIVELY WITH THE DEPARTMENT OF COMMERCE AND THE MARYLAND DEPARTMENT OF LABOR TO PRODUCE UNIFORM AND CONSISTENT BASELINE DATA, INCLUDING COMMON SOURCES AND MEASUREMENTS, ABOUT WORKFORCE NEEDS TO INFORM STATE POLICIES RELATING TO POSTSECONDARY EDUCATION.

(d) (1) Each employee of the Commission shall join the Teachers' Pension System of the State of Maryland or the Employees' Pension System of the State of Maryland.

(2) Any employee of the Commission who is determined by the Secretary to hold a professional position may join the optional retirement program under Title 30 of the State Personnel and Pensions Article.

11-105.

(A) (1) IN THIS SECTION, "EMERGING WORKFORCE NEED PROGRAM" MEANS A GRADUATE LEVEL PROGRAM IDENTIFIED BY THE COMMISSION UNDER SUBSECTION (B)(2)(I)1 OF THIS SECTION THAT:

(I) NO INSTITUTION OF HIGHER EDUCATION IN THE STATE OFFERS;

(II) ADDRESSES A JOB OR INDUSTRY NEED THAT IS INNOVATIVE, UNIQUE, AND RARE; AND

(III) COULD LEVERAGE FEDERAL, STATE, OR PRIVATE RESOURCES ON A LONG-TERM BASIS WITH IMMEDIATE DEVELOPMENT BY AN INSTITUTION OF HIGHER EDUCATION.

(2) "EMERGING WORKFORCE NEED PROGRAM" DOES NOT MEAN A SPECIFIC ACADEMIC PROGRAM IDENTIFIED BY THE COMMISSION TO FULFILL OR SUPPORT AN IDENTIFIED CURRENT STATE AND REGIONAL WORKFORCE NEED.

~~(b)~~ (c) (2) (i) In consultation with the governing boards and agencies concerned with postsecondary education in the State, the Commission shall develop and periodically update an overall plan consistent with the Charter, known as the State Plan for Higher Education, that shall identify:

1. The present and future needs for postsecondary education and research throughout the State, INCLUDING CURRENT AND EMERGING STATE AND REGIONAL WORKFORCE NEEDS AND ANY SPECIFIC ACADEMIC PROGRAMS INSTITUTIONS COULD DEVELOP TO FULFILL OR SUPPORT IDENTIFIED CURRENT STATE AND REGIONAL WORKFORCE NEEDS AND ANY EMERGING WORKFORCE NEED PROGRAMS IN ACCORDANCE WITH SUBPARAGRAPH (IV) OF THIS PARAGRAPH;

1                   2.     The present and future capabilities of the different  
2 institutions and segments of postsecondary education in the State, ~~INCLUDING ANY~~  
3 ~~SPECIFIC ACADEMIC PROGRAMS PARTICULAR INSTITUTIONS COULD DEVELOP TO~~  
4 ~~FULFILL OR SUPPORT IDENTIFIED WORKFORCE NEEDS~~; and

5                   3.     The long-range and short-range objectives and priorities  
6 for postsecondary education and methods and guidelines for achieving and maintaining  
7 them.

8                   (ii)    The Commission shall ensure that the State Plan for Higher  
9 Education complies with the State's equal educational opportunity obligations under State  
10 and federal law, including Title VI of the Civil Rights Act.

11                   (iii)   In developing the State Plan for Higher Education, the  
12 Commission shall incorporate the goals and priorities for higher education ~~identified in this~~  
13 ~~Division III and, for the University System of Maryland, including those identified in §§~~  
14 ~~10-209 and 12-106 of this article~~ **FOR ALL PUBLIC INSTITUTIONS OF HIGHER**  
15 **EDUCATION.**

16                   **(IV)    IN IDENTIFYING STATE AND REGIONAL WORKFORCE NEEDS**  
17 **FOR THE STATE PLAN FOR HIGHER EDUCATION, THE COMMISSION SHALL:**

18                   1.     **USE THE UNIFORM AND CONSISTENT BASELINE DATA,**  
19 **INCLUDING COMMON SOURCES AND MEASUREMENTS, ABOUT WORKFORCE NEEDS**  
20 **DEVELOPED IN COLLABORATION WITH THE DEPARTMENT OF COMMERCE AND THE**  
21 **MARYLAND DEPARTMENT OF LABOR;**

22                   2.     **CONSULT, AS NECESSARY, WITH OTHER STATE**  
23 **AGENCIES WITH UNIQUE EXPERTISE IN SPECIFIC WORKFORCE SEGMENTS,**  
24 **INCLUDING THE MARYLAND LONGITUDINAL DATA SYSTEM CENTER,**  
25 **OCCUPATIONAL LICENSING BOARDS, AND NATIONAL ORGANIZATIONS;**

26                   3.     **USE DATA FROM RESOURCES AND LITERATURE**  
27 **RELATING TO SPECIFIC OCCUPATIONS; AND**

28                   4.     **PROVIDE ALL INSTITUTIONS OF HIGHER EDUCATION**  
29 **IN THE STATE WITH ACCESS TO THIS BASELINE DATA.**

30                   **(V)    THE COMMISSION SHALL UPDATE THE WORKFORCE NEEDS**  
31 **IDENTIFIED IN THE MOST RECENT VERSION OF THE STATE PLAN FOR HIGHER**  
32 **EDUCATION EACH YEAR AS AN APPENDIX TO THE PLAN AND POST THE UPDATE ON**  
33 **THE COMMISSION'S WEBSITE.**

1                   (3)   (i)    The Commission shall submit to the Governor and, subject to §  
2 2–1257 of the State Government Article, to the General Assembly a quadrennial review of  
3 the plan by July 1, 2009, and by July 1 of each fourth year thereafter.

4                   (ii)   The quadrennial review shall include a report on the status and  
5 needs of postsecondary education in the State.

6                   **(III) BEGINNING WITH THE QUADRENNIAL REVIEW OF THE**  
7 **STATE PLAN FOR HIGHER EDUCATION DUE BY JULY 1, 2026, THE COMMISSION**  
8 **SHALL SUBMIT THE PROPOSED PLAN TO THE LEGISLATIVE POLICY COMMITTEE FOR**  
9 **REVIEW AND COMMENT BEFORE ADOPTION BY THE COMMISSION.**

10 11–106.

11           (a)   (1)   The Commission shall establish:

12                   (i)    A Faculty Advisory Council;

13                   (ii)   A Student Advisory Council;

14                   (iii)  A Segmental Advisory Council;

15                   (iv)   A Financial Assistance Advisory Council;

16                   (v)    A Maryland Digital Library Advisory Council; [and]

17                   (vi)   A Private Career School Advisory Council; AND

18                   **(VII) A PROGRAM REVIEW PROCESS ADVISORY COUNCIL.**

19                   (2)   These Councils shall meet periodically for the purpose of reviewing such  
20 matters as are referred by the Commission or the Secretary for their consideration and  
21 advice.

22                   (3)   The Councils may make reports and recommendations to the  
23 Commission.

24           (b)   (1)   The Commission may appoint continuing advisory committees that  
25 represent various groups in the higher education community.

26                   (2)   Advisory committees may make recommendations to the Commission  
27 on matters of statewide importance that affect their constituencies.

28 11–206.

29           (a)   This section does not apply to:

1 (1) New programs proposed to be implemented by public and private  
2 nonprofit institutions of higher education using existing program resources in accordance  
3 with § 11–206.1 of this subtitle;

4 (2) Programs offered by institutions of higher education that operate in the  
5 State without a certificate of approval in accordance with § 11–202.1(b) of this subtitle; and

6 (3) The Cyber Warrior Diversity Program established under Subtitle 14 of  
7 this title.

8 (b) (1) ~~Prior to~~ **SUBJECT TO § 11–206.5 OF THIS SUBTITLE, PRIOR TO** the  
9 proposed date of implementation, the governing body of an institution of postsecondary  
10 education shall submit to the Commission each proposal for:

11 (i) A new program; or

12 (ii) A substantial modification of an existing program.

13 (2) The Commission shall review each such proposal and:

14 (i) With respect to each public institution of postsecondary  
15 education, either approve or disapprove the proposal;

16 (ii) Except as provided in § 16–108(c) of this article, with respect to  
17 each private nonprofit or for–profit institution of higher education, either recommend that  
18 the proposal be implemented or that the proposal not be implemented; and

19 (iii) With respect to a private career school, either approve or  
20 disapprove the proposal.

21 (3) If the Commission fails to act within 60 days of the date of submission  
22 of the completed proposal, the proposal shall be deemed approved.

23 (4) Except as provided in paragraph (3) of this subsection, a public  
24 institution of postsecondary education and private career school may not implement a  
25 proposal without the prior approval of the Commission.

26 (5) (i) Except as provided in paragraph (3) of this subsection, and  
27 subject to subparagraph (ii) of this paragraph, a program that has not received a positive  
28 recommendation by the Commission may be implemented by:

29 1. Subject to the provisions of § 17–105 of this article, a  
30 private nonprofit institution of higher education; or

31 2. A for–profit institution of higher education.

1 (ii) If a private nonprofit or for-profit institution of higher education  
2 implements a proposal despite the recommendation from the Commission that a program  
3 not be implemented, the institution shall notify both prospective students of the program  
4 and enrolled students in the program that the program has not been recommended for  
5 implementation by the Commission.

6 (6) (i) If the Commission disapproves a proposal, the Commission shall  
7 provide to the governing body that submits the proposal a written explanation of the  
8 reasons for the disapproval.

9 (ii) After revising a proposal to address the Commission's reasons for  
10 disapproval, the governing body may submit the revised proposal to the Commission for  
11 approval.

12 (c) (1) Prior to discontinuation, each institution of postsecondary education  
13 that proposes to discontinue an existing program shall provide written notification to the  
14 Commission specifying:

15 (i) The name of the program; and

16 (ii) The expected date of discontinuation.

17 (2) By rule or regulation, the Commission may require the payment by a  
18 private career school of a refund to any student or enrollee who, because of the  
19 discontinuation of an ongoing program, is unable to complete such program.

20 (d) The Commission shall review and make recommendations on programs in  
21 private nonprofit and for-profit institutions of higher education.

22 (e) (1) In this subsection, "governing board" includes the board of trustees of a  
23 community college.

24 (2) (I) The Commission shall adopt regulations establishing standards  
25 for determining whether [2] TWO or more programs are unreasonably OR  
26 UNNECESSARILY duplicative.

27 (II) **THE REGULATIONS SHALL:**

28 **1. CLEARLY IDENTIFY ALL SPECIFIC CRITERIA AND**  
29 **FACTORS USED BY THE COMMISSION TO DETERMINE WHETHER TWO OR MORE**  
30 **PROGRAMS ARE UNREASONABLY OR UNNECESSARILY DUPLICATIVE;**

31 **2. PRIORITIZE MEETING STATE AND REGIONAL**  
32 **WORKFORCE NEEDS AND PRESERVING EXISTING PROGRAMS THAT ARE ABLE TO**  
33 **MEET THESE WORKFORCE NEEDS; AND**

1                                   **3.    PRIORITIZE                    COLLABORATION                    BETWEEN**  
2 **INSTITUTIONS OF HIGHER EDUCATION.**

3                   (3)    The Commission may review existing programs at public institutions of  
4 postsecondary education if the Commission has reason to believe that academic programs  
5 are unreasonably OR UNNECESSARILY duplicative or inconsistent with an institution's  
6 adopted mission.

7                   (4)    The Commission may make a determination that an unreasonable OR  
8 UNNECESSARY duplication of programs exists on its own initiative or after receipt of a  
9 request for determination from any directly affected public institution of postsecondary  
10 education.

11                   (5)    (i)    If the Commission makes a determination under paragraph (4)  
12 of this subsection the Commission may:

13                                   1.    Make recommendations to a governing board on the  
14 continuation or modification of the programs;

15                                   2.    Require any affected governing board to submit a plan to  
16 resolve the duplication; and

17                                   3.    Negotiate, as necessary, with any affected governing  
18 board until the unreasonable OR UNNECESSARY duplication is eliminated.

19                   (ii)    Notwithstanding the provisions of subparagraph (i) of this  
20 paragraph, if the Commission determines that [2] TWO or more existing programs offered  
21 by institutions under the governance of different governing boards are unreasonably OR  
22 UNNECESSARILY duplicative, the governing boards of the institutions of postsecondary  
23 education at which the programs are offered shall have 180 days from the date of the  
24 Commission's determination to formulate and present to the Commission a joint plan to  
25 eliminate the duplication.

26                   (iii)   If in the Commission's judgment the plan satisfactorily  
27 eliminates the duplication, the governing board of the affected institutions shall be so  
28 notified and shall take appropriate steps to implement the plan.

29                   (iv)    If in the Commission's judgment the plan does not satisfactorily  
30 eliminate the duplication, or if no plan is jointly submitted within the time period specified  
31 in paragraph (6) of this subsection, the governing board of the affected institutions shall be  
32 so notified. The Commission may then seek to eliminate the duplication by revoking the  
33 authority of a public institution of postsecondary education to offer the unreasonably OR  
34 UNNECESSARILY duplicative program.

1 (6) (i) Prior to imposing a sanction under paragraph (5) of this  
2 subsection, the Commission shall give notice of the proposed sanction to the governing  
3 board of each affected institution.

4 (ii) 1. Within 20 days of receipt of the notice, any affected  
5 institution may request an opportunity to meet with the Commission and present  
6 objections.

7 2. If timely requested, the Commission shall provide such  
8 opportunity prior to the Commission's decision to impose a sanction.

9 (iii) The Commission's decision shall be final and is not subject to  
10 further administrative appeal or judicial review.

11 11-206.1.

12 (a) (1) In this section the following words have the meanings indicated.

13 (2) "Private nonprofit institution of higher education" has the meaning  
14 stated in § 10-101(k) of this article.

15 (3) "Public institution of higher education" means:

16 (i) A public senior higher education institution; and

17 (ii) A community college.

18 (b) (1) ~~A SUBJECT TO § 11-206.5 OF THIS SUBTITLE, A~~ president of a public  
19 institution of higher education may propose to establish a new program or abolish an  
20 existing program if the action:

21 (i) Is consistent with the institution's adopted mission statement  
22 under Subtitle 3 of this title; and

23 (ii) Can be implemented within the existing program resources of  
24 the institution.

25 (2) ~~A SUBJECT TO § 11-206.5 OF THIS SUBTITLE, A~~ president of a  
26 private nonprofit institution of higher education may propose to establish a new program  
27 if the action:

28 (i) Is consistent with the mission statement published in the official  
29 catalog of the private nonprofit institution; and

30 (ii) Can be implemented within the existing resources of the  
31 institution.

1           (3) The president of a public institution of higher education shall report  
2 any programs that are proposed to be established or abolished in accordance with  
3 paragraph (1) of this subsection to:

4                   (i) The institution's governing board; and

5                   (ii) The Maryland Higher Education Commission.

6           (4) The president of a private nonprofit institution of higher education  
7 shall report any programs that are proposed to be established in accordance with paragraph  
8 (2) of this subsection to the Commission.

9           (5) Upon receipt of a proposed new program, the Commission shall notify  
10 all other institutions of higher education in the State.

11       (c) The governing board of a public institution of higher education shall:

12                   (1) Review the actions taken under subsection (b) of this section;

13                   (2) Ensure that any new program proposed to be established by a  
14 president:

15                           (i) Is consistent with the institution's approved mission statement  
16 under Subtitle 3 of this title;

17                           (ii) Meets a regional or statewide need consistent with the  
18 [Maryland] State Plan for [Postsecondary] **HIGHER** Education;

19                           (iii) Meets criteria for the quality of new programs, developed in  
20 consultation with the Commission; and

21                           (iv) Can be implemented within the existing program resources of  
22 the institution, verified by a process established in consultation with the Commission.

23       (d) The Board of Regents of the University System of Maryland shall approve the  
24 proposed new program within 60 days if the program meets the criteria in subsection (c)(2)  
25 of this section, subject to the provisions of subsections (e) and (f) of this section.

26       (e) **(1)** Within 30 days of receipt of a notice of an institution's intent to  
27 [establish] **SUBMIT** a new program **TO THE COMMISSION** in accordance with subsection  
28 (b) of this section, the Commission may file, or the institutions of higher education in the  
29 State may file with the Commission, an objection to implementation of a proposed  
30 **GRADUATE** program provided the objection is based on:

31                   **[(1)] (I)** Inconsistency of the proposed program with the institution's  
32 approved mission for a public institution of higher education and the mission statement  
33 published in the official catalog of a private nonprofit institution of higher education;

1 [(2)] (II) Not meeting a regional or statewide need consistent with the  
2 [Maryland] State Plan for [Postsecondary] **HIGHER** Education;

3 [(3)] (III) Unreasonable program duplication which would cause  
4 ~~demonstrable~~ harm to ~~another institution~~ **THE STATE OR STUDENTS ATTENDING**  
5 **INSTITUTIONS OF HIGHER EDUCATION IN THE STATE**; or

6 [(4)] (IV) [Violation] **UNNECESSARY PROGRAM DUPLICATION IN**  
7 **VIOLATION** of the State's equal educational opportunity obligations under State and  
8 federal law.

9 (2) **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE**  
10 **COMMISSION SHALL ADOPT REGULATIONS ON PROCEDURES FOR CONDUCTING AN**  
11 **ANALYSIS OF THE OBJECTIONS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION**  
12 **THAT:**

13 (I) **CLEARLY IDENTIFY ALL OF THE SPECIFIC CRITERIA AND**  
14 **FACTORS USED BY THE COMMISSION; AND**

15 (II) **FOR AN OBJECTION UNDER PARAGRAPH (1)(III) OF THIS**  
16 **SUBSECTION, USE A SET OF BASELINE DATA AND COMMON SOURCES AND THAT**  
17 **PRIORITIZE:**

18 1. **MEETING STATE AND REGIONAL WORKFORCE NEEDS;**

19 2. **PRESERVING EXISTING PROGRAMS THAT ARE ABLE**  
20 **TO MEET STATE AND REGIONAL WORKFORCE NEEDS; AND**

21 3. **COLLABORATION BETWEEN INSTITUTIONS OF**  
22 **HIGHER EDUCATION.**

23 (3) **THE COMMISSION, ~~JOINTLY~~ IN CONSULTATION WITH THE**  
24 **ATTORNEY GENERAL, SHALL ADOPT REGULATIONS FOR STANDARDS FOR**  
25 **CONDUCTING AN ANALYSIS OF AN OBJECTION UNDER PARAGRAPH (1)(IV) OF THIS**  
26 **SUBSECTION.**

27 (f) (1) If an objection is filed under subsection (e) of this section by the  
28 Commission or an institution within 30 days of receipt of a notice of an institution's intent  
29 to establish a new program, the Commission shall immediately notify the institution's  
30 governing board and president.

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

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

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

6 (5) If the objection cannot be resolved within 30 days of receipt of an  
7 objection, the Commission shall make a final determination on approval of the new program  
8 for a public institution of higher education or a final recommendation on implementation  
9 for a private nonprofit institution of higher education.

10 **(G) A HEARING FOR REVIEW OF THE ~~COMMISSION'S~~ SECRETARY'S**  
11 **DETERMINATION OF AN INSTITUTION'S OBJECTION UNDER SUBSECTION (F) OF THIS**  
12 **SECTION SHALL:**

13 **(1) BE CONDUCTED IN OPEN SESSION, INCLUDING DISCUSSIONS AND**  
14 **ANY FORMAL ACTION TAKEN BY THE COMMISSION;**

15 **(2) ALLOW EACH PARTY, INCLUDING THE SECRETARY, THE**  
16 **PROPOSING INSTITUTION, AND THE OBJECTING INSTITUTION, TO HAVE NOT LESS**  
17 **THAN 10 MINUTES TO PRESENT THEIR POSITIONS REGARDING THE**  
18 **DETERMINATION, WITHOUT INTERRUPTION; AND**

19 **(3) REQUIRE THE APPROVAL OF A MAJORITY OF THE MEMBERS THEN**  
20 **SERVING ON THE COMMISSION.**

21 **(H) (1) ON OR BEFORE JANUARY 1, 2025, THE COMMISSION SHALL**  
22 **DEVELOP AND PUBLISH ON ITS WEBSITE AN ADMINISTRATIVE PROCEDURES GUIDE**  
23 **FOR THE COMMISSION'S PROGRAM REVIEW PROCESS DEVELOPED UNDER THIS**  
24 **SECTION.**

25 **(2) THE COMMISSION SHALL UPDATE THE ADMINISTRATIVE**  
26 **PROCEDURES GUIDE AT LEAST ONCE EACH YEAR.**

27 **[(g)] (I) (1) The Commission shall:**

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

30 (ii) Identify low productivity programs at public institutions of  
31 higher education.

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

4 (3) If the Commission notifies a president of an institution under  
5 paragraph (2) of this subsection, within 60 days the president of the institution shall  
6 provide to the Commission in writing:

7 (i) An action plan to abolish or modify the program; or

8 (ii) Justification for the continuation of the program.

9 **[(h)] (J)** The Commission and the governing boards of the public institutions of  
10 higher education shall jointly develop a definition and accepted criteria for determining low  
11 productivity programs.

12 **[(i)] (K)** The Commission shall:

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

15 (2) Report annually to the Governor and, in accordance with § 2-1257 of  
16 the State Government Article, the General Assembly on the nature and extent of any  
17 duplication or proliferation of programs; and

18 (3) Make available a copy of the report under item (2) of this subsection to  
19 the public institutions of higher education and the private nonprofit institutions of higher  
20 education.

21 **11-206.2.**

22 **(A) ~~BEGINNING IN JANUARY 2025~~ ON OR BEFORE JANUARY 1, 2025, AND**  
23 **EACH JANUARY 1 THEREAFTER, THE COMMISSION SHALL REVIEW EACH ACADEMIC**  
24 **PROGRAM THAT HAS BEEN APPROVED IN THE 4 IMMEDIATELY PRECEDING SCHOOL**  
25 **YEARS YEAR THAT WAS SUBJECT TO AN OBJECTION OF A HISTORICALLY BLACK**  
26 **COLLEGE OR UNIVERSITY, AS DESCRIBED IN § 10-214 OF THIS ARTICLE, TO**  
27 **DETERMINE WHETHER THE HISTORICALLY BLACK COLLEGE OR UNIVERSITY**  
28 **SUFFERED ~~DEMONSTRABLE~~ HARM RESULTING FROM APPROVAL OF THE PROGRAM.**

29 **(B) ON OR BEFORE SEPTEMBER 1, 2025, AND ~~EVERY 4 YEARS~~ EACH**  
30 **SEPTEMBER 1 THEREAFTER, THE COMMISSION SHALL REPORT ITS FINDINGS**  
31 **UNDER SUBSECTION (A) OF THIS SECTION, IN ACCORDANCE WITH § 2-1257 OF THE**  
32 **STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, ENERGY, AND THE**  
33 **ENVIRONMENT COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE.**

34 **11-206.3.**

1 (A) IN THIS SECTION, “INSTITUTION” MEANS ~~A~~:

2 (1) A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION; OR

3 (2) A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION.

4 (B) (1) BEGINNING JANUARY 1, 2025, THE COMMISSION SHALL REQUIRE  
5 EACH INSTITUTION TO SUBMIT A LETTER OF INTENT TO THE COMMISSION THAT  
6 IDENTIFIES EACH NEW GRADUATE LEVEL PROGRAM THAT AN INSTITUTION INTENDS  
7 TO PROPOSE FOR APPROVAL UNDER § 11-206 OR § 11-206.1 OF THIS SUBTITLE.

8 (2) THE COMMISSION SHALL REQUIRE EACH INSTITUTION TO SUBMIT  
9 A LETTER OF INTENT EVERY 6 MONTHS.

10 (3) THE LETTER OF INTENT SHALL INCLUDE ALL NEW GRADUATE  
11 PROGRAMS THE INSTITUTION INTENDS TO PROPOSE WITHIN THE 6-MONTH TO  
12 2-YEAR TIME PERIOD FOLLOWING SUBMISSION OF THE LETTER OF INTENT.

13 (C) THE COMMISSION SHALL USE A LETTER OF INTENT SUBMITTED BY AN  
14 INSTITUTION UNDER THIS SECTION:

15 (1) TO FACILITATE COLLABORATION BETWEEN INSTITUTIONS; AND

16 (2) TO PROVIDE FEEDBACK TO AN INSTITUTION BEFORE THE  
17 INSTITUTION SUBMITS THE NEW PROGRAM TO THE COMMISSION FOR APPROVAL,  
18 INCLUDING ANY COMMISSION CONCERNS REGARDING UNREASONABLE OR  
19 UNNECESSARY PROGRAM DUPLICATION.

20 (D) THE COMMISSION MAY NOT USE A LETTER OF INTENT TO ESTABLISH  
21 ANY PREFERENCE OR PRIORITY FOR APPROVAL OF A PROGRAM PROPOSAL.

22 (E) THE COMMISSION SHALL ESTABLISH REQUIREMENTS FOR SUBMITTING  
23 A LETTER OF INTENT UNDER THIS SECTION, INCLUDING THE FORMAT, DEADLINES,  
24 AND REVIEW CRITERIA OF THE LETTERS.

25 (F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
26 THE COMMISSION MAY APPROVE A PROGRAM PROPOSAL SUBMITTED UNDER §  
27 11-206 OR § 11-206.1 OF THIS SUBTITLE ONLY IF THE INSTITUTION HAS INCLUDED  
28 THE PROGRAM IN A LETTER OF INTENT SUBMITTED TO THE COMMISSION.

29 (2) (I) THE COMMISSION MAY APPROVE A NEW PROGRAM  
30 PROPOSED BY AN INSTITUTION UNDER § 11-206 OR § 11-206.1 OF THIS SUBTITLE

1 THAT WAS NOT INCLUDED IN A LETTER OF INTENT IF THE INSTITUTION SUBMITS  
2 PROOF SATISFACTORY TO THE COMMISSION:

3 1. OF THE EXIGENT CIRCUMSTANCES LEADING TO THE  
4 DEVELOPMENT OF THE PROPOSED PROGRAM; AND

5 2. THAT THE BENEFIT OF THE PROGRAM TO THE STATE  
6 OR REGION OUTWEIGHS THE STATE'S INTEREST IN REASONABLE PUBLIC NOTICE  
7 AND INSTITUTIONAL COLLABORATION.

8 (II) THE COMMISSION SHALL ESTABLISH OBJECTIVE  
9 STANDARDS AND A FAIR AND TRANSPARENT PROCESS FOR CONSIDERATION AND  
10 APPROVAL OF A PROPOSED PROGRAM UNDER SUBPARAGRAPH (I) OF THIS  
11 PARAGRAPH.

12 (G) (1) IN THIS SUBSECTION, "FUND" MEANS THE PROPOSED PROGRAMS  
13 COLLABORATIVE GRANT FUND.

14 (2) THERE IS A PROPOSED PROGRAMS COLLABORATIVE GRANT  
15 FUND.

16 (3) THE PURPOSE OF THE FUND IS TO PROVIDE FINANCIAL  
17 ASSISTANCE TO INCENTIVIZE INSTITUTIONS OF HIGHER EDUCATION TO  
18 COLLABORATE WITH OTHER INSTITUTIONS OF HIGHER EDUCATION, AT THE  
19 DISCRETION OF EACH INSTITUTION, TO ESTABLISH AND IMPLEMENT A NEW  
20 GRADUATE PROGRAM.

21 (4) THE COMMISSION SHALL:

22 (I) ADMINISTER THE FUND;

23 (II) DEVELOP AN APPLICATION PROCESS TO APPLY FOR A  
24 GRANT FROM THE FUND; AND

25 (III) AWARD GRANTS TO INSTITUTIONS AS INTENDED BY THE  
26 FUND.

27 (5) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
28 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

29 (II) THE STATE TREASURER SHALL HOLD THE FUND  
30 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

31 (6) THE FUND CONSISTS OF:

1           **(I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**  
2 **FUND;**

3           **(II) INTEREST EARNINGS; AND**

4           **(III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**  
5 **FOR THE BENEFIT OF THE FUND.**

6           **(7) THE FUND MAY BE USED ONLY FOR EXPENSES INCURRED BY AN**  
7 **INSTITUTION FOR COLLABORATING OR ATTEMPTING TO COLLABORATE WITH OTHER**  
8 **INSTITUTIONS TO ESTABLISH AND IMPLEMENT A NEW GRADUATE PROGRAM**  
9 **IDENTIFIED IN A LETTER OF INTENT UNDER THIS SECTION, INCLUDING EXPENSES**  
10 **FOR:**

11           **(I) SALARIES OF FACULTY WHO WORK TOGETHER TO**  
12 **DETERMINE IF COLLABORATION IS FEASIBLE FOR THE INSTITUTIONS; AND**

13           **(II) COSTS ASSOCIATED WITH:**

14                   **1. PROVIDING TRANSPORTATION FROM ONE**  
15 **INSTITUTION TO ANOTHER INSTITUTION FOR SHARED CLASSES OR FACILITIES; AND**

16                   **2. SHARING RESOURCES ACROSS INSTITUTIONS,**  
17 **INCLUDING RESEARCH COLLABORATION, STUDENT EXCHANGE PROGRAMS, JOINT**  
18 **MARKETING OR RECRUITMENT, FACULTY EXCHANGE PROGRAMS, AND ONLINE**  
19 **PROGRAM COLLABORATION.**

20           **(8) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE**  
21 **FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

22           **(II) ANY INTEREST EARNINGS OF THE FUND SHALL BE**  
23 **CREDITED TO THE FUND.**

24           **(9) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN**  
25 **ACCORDANCE WITH THE STATE BUDGET.**

26           **(10) MONEY EXPENDED FROM THE FUND FOR EXPENSES INCURRED BY**  
27 **INSTITUTIONS FOR COLLABORATING OR ATTEMPTING TO COLLABORATE TO**  
28 **ESTABLISH AND IMPLEMENT A NEW GRADUATE PROGRAM IS SUPPLEMENTAL TO**  
29 **AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD**  
30 **BE APPROPRIATED FOR THE NEW PROGRAM.**

31 **11-206.4.**

1 (A) NOTWITHSTANDING THE PROVISIONS OF §§ 11-206 AND 11-206.1 OF  
2 THIS SUBTITLE AND SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE  
3 COMMISSION SHALL DEVELOP AND IMPLEMENT A PROGRAM REVIEW PROCESS FOR  
4 NEW PROPOSED PROGRAMS THAT:

5 (1) ARE OFFERED ONLY ONLINE AND TO A MAJORITY OF  
6 OUT-OF-STATE STUDENTS; AND

7 (2) ENABLE THE INSTITUTIONS OF HIGHER EDUCATION IN THE  
8 STATE TO COMPETE WITH OUT-OF-STATE COMPETITORS IN THE ONLINE  
9 MARKETPLACE.

10 (B) THE PROCESS DEVELOPED AND IMPLEMENTED UNDER SUBSECTION (A)  
11 OF THIS SECTION SHALL ALLOW THE COMMISSION OR AN INSTITUTION OF HIGHER  
12 EDUCATION IN THE STATE TO FILE WITH THE COMMISSION AN OBJECTION TO  
13 IMPLEMENTATION OF THE PROPOSED PROGRAM, PROVIDED THE OBJECTION IS  
14 BASED ON:

15 (1) INCONSISTENCY OF THE PROPOSED PROGRAM WITH THE  
16 INSTITUTION'S APPROVED MISSION FOR A PUBLIC INSTITUTION OF HIGHER  
17 EDUCATION OR THE MISSION STATEMENT PUBLISHED IN THE OFFICIAL CATALOG OF  
18 A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION;

19 (2) NOT MEETING A STATE OR REGIONAL NEED CONSISTENT WITH  
20 THE STATE PLAN FOR HIGHER EDUCATION;

21 (3) UNREASONABLE PROGRAM DUPLICATION THAT WOULD CAUSE  
22 HARM TO THE STATE OR STUDENTS ATTENDING INSTITUTIONS OF HIGHER  
23 EDUCATION IN THE STATE; OR

24 (4) UNNECESSARY PROGRAM DUPLICATION IN VIOLATION OF THE  
25 STATE'S EQUAL EDUCATIONAL OPPORTUNITY OBLIGATIONS UNDER STATE AND  
26 FEDERAL LAW.

27 ~~(B)~~ (C) THE COMMISSION SHALL INCLUDE THE PROGRAM REVIEW  
28 PROCESS DEVELOPED UNDER THIS SECTION IN THE ADMINISTRATIVE PROCEDURES  
29 GUIDE REQUIRED UNDER § 11-206.1(H) OF THIS SUBTITLE.

30 11-206.5.

31 (A) IN THIS SECTION, "EMERGING WORKFORCE NEED PROGRAM" HAS THE  
32 MEANING STATED IN § 11-105(A) OF THIS TITLE.

1           **(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE COMMISSION MAY**  
2 **APPROVE A PROPOSAL SUBMITTED UNDER § 11-206, § 11-206.1, OR § 11-206.4 OF**  
3 **THIS SUBTITLE ONLY FOR AN ACADEMIC PROGRAM FOR AN EMERGING WORKFORCE**  
4 **NEED PROGRAM FOR:**

5           **(1) MORGAN STATE UNIVERSITY;**

6           **(2) BOWIE STATE UNIVERSITY;**

7           **(3) UNIVERSITY OF MARYLAND EASTERN SHORE;**

8           **(4) COPPIN STATE UNIVERSITY; AND**

9           **(5) THE UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS AS**  
10 **THE STATE'S FLAGSHIP CAMPUS WITH PROGRAMS AND FACULTY NATIONALLY AND**  
11 **INTERNATIONALLY RECOGNIZED FOR EXCELLENCE IN RESEARCH AND THE**  
12 **ADVANCEMENT OF KNOWLEDGE.**

13           **(C) IF AN INSTITUTION OF HIGHER EDUCATION UNDER SUBSECTION (B) OF**  
14 **THIS SECTION DOES NOT SUBMIT A PROPOSAL UNDER § 11-206, § 11-206.1, OR §**  
15 **11-206.4 OF THIS SUBTITLE FOR AN ACADEMIC PROGRAM FOR AN EMERGING**  
16 **WORKFORCE NEED PROGRAM WITHIN 2 YEARS AFTER THE PUBLICATION OF THE**  
17 **STATE PLAN FOR HIGHER EDUCATION OR THE APPENDIX TO THE PLAN THAT**  
18 **IDENTIFIED THE EMERGING WORKFORCE NEED PROGRAM, ANY INSTITUTION OF**  
19 **POSTSECONDARY EDUCATION IN THE STATE MAY SUBMIT THE PROPOSAL FOR**  
20 **APPROVAL BY THE COMMISSION UNDER §§ 11-206, 11-206.1, AND 11-206.4 OF THIS**  
21 **SUBTITLE.**

22 11-302.

23           (a) (1) The president of each public institution of higher education is  
24 responsible for developing a mission statement.

25           (2) The president shall submit the mission statement to the institution's  
26 governing board.

27           (3) Upon the direction of the governing board, the president shall update  
28 the mission statement every 4 years in the year immediately following the quadrennial  
29 review of the State Plan for Higher Education as set forth in § 11-105 of this title.

30           (b) (1) The governing board:

31                   (i) Shall review the mission statement and may require the  
32 president to prepare a revised mission statement;

1 (ii) May adopt the mission statement as submitted or with  
2 amendments; and

3 (iii) Shall submit the statement to the Commission.

4 (2) (i) In the case of constituent institutions of the University System  
5 of Maryland, the Chancellor of the University System of Maryland shall review the  
6 statement prior to its consideration by the Board of Regents and make recommendations.

7 (ii) Before adopting the mission statements, the Board of Regents  
8 shall review the statements individually and on a systemwide basis to assure that:

9 1. They are consistent with the Charter and the systemwide  
10 plan; and

11 2. They will promote the efficient and effective use of the  
12 institution's and System's resources.

13 (iii) The Board shall consolidate the statements into an adopted  
14 systemwide statement.

15 (c) (1) Each regional higher education center shall:

16 (i) Develop a mission statement;

17 (ii) Submit the mission statement to the governing body of the  
18 center; and

19 (iii) Upon direction of the governing body, update the mission  
20 statement every 4 years in the year immediately following the quadrennial review of the  
21 State Plan for Higher Education as set forth in § 11-105 of this title.

22 (2) The governing body of each regional higher education center:

23 (i) Shall review the mission statement and may require the  
24 preparation of a revised mission statement;

25 (ii) May adopt the mission statement as submitted or with  
26 amendment; and

27 (iii) Shall submit the statement to the Commission.

28 (d) (1) The Commission shall [review]:

29 (I) **DEVELOP DETAILED CRITERIA FOR THE ROBUST REVIEW OF**  
30 **MISSION STATEMENTS OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION,**  
31 **INCLUDING ENSURING THE MISSION OF EACH INSTITUTION IS REFLECTIVE OF THE**

1 INSTITUTION'S STATUTORY DISTINCTION AND CLEARLY DEFINED AND DISTINCT  
2 FROM OTHER PUBLIC INSTITUTIONS; AND

3 (II) REVIEW the mission statement to determine whether the  
4 mission statement is consistent with the State Plan for Higher Education.

5 (2) The mission statement shall be deemed approved within ~~30~~ 90 days of  
6 receipt unless the Commission [finds]:

7 (I) FINDS the statement is not consistent with the State Plan for  
8 Higher Education; OR

9 (II) REJECTS THE STATEMENT AFTER CONDUCTING A REVIEW  
10 IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

11 (3) (I) AFTER APPROVING OR REJECTING A MISSION STATEMENT  
12 OF A PUBLIC INSTITUTION OF HIGHER EDUCATION, THE COMMISSION, IN  
13 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, SHALL SUBMIT  
14 TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE SENATE COMMITTEE ON  
15 EDUCATION, ENERGY, AND THE ENVIRONMENT, AND THE HOUSE APPROPRIATIONS  
16 COMMITTEE A REPORT THAT INCLUDES AN ANALYSIS EXPLAINING:

17 1. THE ROLE OF THE PUBLIC INSTITUTION OF HIGHER  
18 EDUCATION WITHIN THE SYSTEM OF HIGHER EDUCATION IN THE STATE TO ENSURE  
19 THE MISSION STATEMENT IS CLEARLY DEFINED AND DISTINCT FROM OTHER PUBLIC  
20 INSTITUTIONS OF HIGHER EDUCATION; AND

21 2. WHY THE MISSION STATEMENT WAS APPROVED OR  
22 REJECTED.

23 (II) THE COMMISSION IS ENCOURAGED TO USE THE REPORT  
24 REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO ENSURE THAT THE  
25 STATE IS SUPPORTING EACH PUBLIC INSTITUTION OF HIGHER EDUCATION IN  
26 MEETING THE NEEDS DESCRIBED IN THE MISSION STATEMENTS.

27 (4) (i) If the Commission finds that the MISSION statement is not  
28 consistent with the State Plan for Higher Education OR REJECTS THE STATEMENT  
29 UNDER PARAGRAPH (2) OF THIS SUBSECTION, the Commission shall return the  
30 statement together with its objections that include the specific areas of inconsistency with  
31 the State Plan for Higher Education to the governing board.

32 (ii) The governing board and the institution president shall  
33 negotiate with the Commission and amend the statement or prepare a new statement.

34 **Article – State Finance and Procurement**

1 6–226.

2 (a) (2) (i) Notwithstanding any other provision of law, and unless  
3 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
4 terms of a gift or settlement agreement, net interest on all State money allocated by the  
5 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
6 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
7 Fund of the State.

8 (ii) The provisions of subparagraph (i) of this paragraph do not apply  
9 to the following funds:

10 189. the Teacher Retention and Development Fund; [and]

11 190. the Protecting Against Hate Crimes Grant Fund; AND

12 **191. THE PROPOSED PROGRAMS COLLABORATIVE GRANT**  
13 **FUND.**

14 SECTION 3. AND BE IT FURTHER ENACTED, That:

15 (a) (1) The Maryland Higher Education Commission shall examine the  
16 approval process established by the Commission for conducting academic program reviews  
17 under §§ 11–206 and 11–206.1 of the Education Article, as enacted by Section 2 of this Act,  
18 including all statutory and regulatory requirements regarding administrative procedures,  
19 timelines, and deadlines, to determine whether the process, in whole or in part, needs  
20 updating or revision to meet the needs of the institutions of higher education and students  
21 in the State.

22 (2) On or before December 1, 2024, the Commission shall report its findings  
23 and recommendations under paragraph (1) of this subsection to the General Assembly, in  
24 accordance with § 2–1257 of the State Government Article.

25 (b) (1) The Commission, in collaboration with all institutions of higher  
26 education in the State, shall evaluate whether the existing standard that triggers the  
27 academic program review process for a substantial modification to an existing program  
28 established under § 11–206 of the Education Article, as enacted by Section 2 of this Act,  
29 and COMAR 13B.02.03.03E is the appropriate standard.

30 (2) If, after the evaluation conducted under paragraph (1) of this  
31 subsection, the Commission determines that a new standard for establishing a substantial  
32 modification to an existing program is appropriate, the Commission shall, on or before  
33 January 1, 2025, adopt regulations establishing the new standard.

34 SECTION 4. AND BE IT FURTHER ENACTED, That:

1 (a) On or before January 1, 2025, the Maryland Higher Education Commission  
2 shall update the State Plan for Higher Education last revised in 2022 to include updated  
3 State and regional workforce needs information.

4 (b) During the process of updating the State Plan under subsection (a) of this  
5 section, the Commission shall provide postsecondary education stakeholders with an  
6 opportunity to provide input on State and regional workforce needs issues relevant to the  
7 purposes and objective of the State Plan for Higher Education, including students,  
8 members of the public, and major industry partners.

9 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
10 1, 2024.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.