

(5) (i) "Parent" means:

1. A child's natural parents;
2. A CHILD'S ADOPTIVE PARENTS;

~~[2.]~~ 3. A guardian;

~~[3.]~~ 4. A person acting as a parent of a child such as a relative ~~for~~, or a stepparent, ~~OR A FOSTER PARENT~~ with whom a child lives [including those relatives or stepparents who are the foster parents]; ~~or~~

5. A FOSTER PARENT WITH WHOM A CHILD LIVES IF THE FOSTER PARENT HAS BEEN GRANTED LIMITED GUARDIANSHIP FOR EDUCATIONAL DECISION-MAKING PURPOSES BY THE COURT THAT HAS PLACED THE CHILD IN FOSTER CARE; OR

~~[4.]~~ ~~5.~~ 6. Any other individual who is legally responsible for a child's welfare.

(ii) "Parent" does not include a social worker or [a foster parent, except as provided in item 3, unless appointed as a parent surrogate] OTHER EMPLOYEE OF A PUBLIC AGENCY WHO IS RESPONSIBLE FOR THE EDUCATION OR CARE OF THE CHILD.

(6) "Parent surrogate" means a person who is appointed by the local school superintendent to act in place of a parent of a child in the educational decision making process.

(7) "Public agency" includes the State Department of Education, local education agencies, and other agencies that are responsible for providing education to a child with a disability, including the Department of Health and Mental Hygiene, Mental Hygiene Administration, the Mental Retardation Administration, the Department of Juvenile Services, and the Maryland School for the Deaf. For the purpose of this section the Maryland School for the Blind shall be considered a public agency.

(8) "UNACCOMPANIED HOMELESS CHILD" MEANS A CHILD WHO IS CONSIDERED HOMELESS AS DEFINED BY THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.

~~[(8)]~~(9) "Unavailable" means that a public agency, after reasonable efforts, cannot discover the physical whereabouts of a child's parent.

~~[(9)]~~(10) "Unknown" means that a public agency, after reasonable efforts, cannot identify the child's parent.

~~[(10)]~~(11) "Ward of the State" means a child for whom a State or county agency or official has been appointed legal guardian, or who has been committed by a court of competent jurisdiction to the legal custody of a State or county agency or official with the express authorization that the State or county agency or official make educational decisions for the child.