

EDUCATION IN THE PRIOR FISCAL YEAR, DIVIDED BY THE FULL-TIME EQUIVALENT ENROLLMENT, AS DEFINED IN § 5-202(A) OF THIS ARTICLE.

(4) "RECEIVING AGENCY" MEANS THE LOCAL EDUCATION AGENCY FOR THE COUNTY WHERE THE RELATIVE OF A CHILD IN AN INFORMAL KINSHIP CARE RELATIONSHIP RESIDES.

(5) "RELATIVE" MEANS AN ADULT RELATED TO THE CHILD BY BLOOD OR MARRIAGE WITHIN THE FIFTH DEGREE OF CONSANGUINITY.

(6) "SENDING AGENCY" MEANS THE LOCAL EDUCATION AGENCY FOR A COUNTY WHERE THE PARENT OR LEGAL GUARDIAN OF A CHILD IN AN INFORMAL KINSHIP CARE RELATIONSHIP RESIDES, SUBJECT TO THE FOLLOWING CONDITIONS:

(I) IF THE PARENTS OR LEGAL GUARDIANS OF THE CHILD LIVE APART, THE SENDING AGENCY IS THE LOCAL EDUCATION AGENCY IN THE COUNTY WHERE THE PARENT OR LEGAL GUARDIAN WHO HAS BEEN AWARDED CUSTODY OF THE CHILD RESIDES;

(II) IF CUSTODY HAS NOT BEEN AWARDED TO A PARENT OR LEGAL GUARDIAN, THE SENDING AGENCY IS THE LOCAL EDUCATION AGENCY OF THE COUNTY WHERE THE PARENT OR LEGAL GUARDIAN WITH WHOM THE CHILD LIVES WHEN NOT IN AN INFORMAL KINSHIP CARE RELATIONSHIP RESIDES;

(III) IF CUSTODY HAS BEEN AWARDED TO BOTH PARENTS OR LEGAL GUARDIANS, AND THE PARENTS OR LEGAL GUARDIANS RESIDE IN DIFFERENT COUNTIES, THE LOCAL EDUCATION AGENCIES OF BOTH COUNTIES SHALL BE CONSIDERED A SENDING AGENCY AND SHALL PAY ONE-HALF THE AMOUNT AS COMPUTED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION, EXCEPT THAT IF A CHILD RECEIVES A PUBLIC EDUCATION IN A COUNTY WHERE A PARENT RESIDES, THIS SUBPARAGRAPH SHALL NOT APPLY; AND

(IV) IF CUSTODY HAS BEEN AWARDED TO BOTH PARENTS OR LEGAL GUARDIANS, AND ONE PARENT RESIDES IN A COUNTY AND THE OTHER RESIDES OUT-OF-STATE, THE LOCAL EDUCATION AGENCY OF THE COUNTY SHALL BE CONSIDERED THE SENDING AGENCY.

(7) "SERIOUS FAMILY HARDSHIP" MEANS:

(I) DEATH OF A PARENT OR LEGAL GUARDIAN OF THE CHILD;
(II) SERIOUS ILLNESS OF A PARENT OR LEGAL GUARDIAN OF THE CHILD;

(III) DRUG ADDICTION OF A PARENT OR LEGAL GUARDIAN OF THE CHILD;

(IV) INCARCERATION OF A PARENT OR LEGAL GUARDIAN OF THE CHILD;

(V) ABANDONMENT BY A PARENT OR LEGAL GUARDIAN OF A CHILD; OR