



## Statement of Fact

### Emergency Assistance to Non-Public Schools (EANS) Program under the American Rescue Plan Act of 2021 (ARP Act)

The threshold the State will use to determine if a non-public school enrolls a significant percentage of students from low-income families that meets or exceeds is **40 percent**.

The sources of poverty data the State will use to determine counts of students from low-income families in non-public schools, provided that the poverty threshold is consistent across sources are:

- Data on student eligibility for free or reduced-price lunch under the Richard B. Russell National School Lunch Act (43 U.S.C. 1751 et seq.).
- Data from the E-rate program administered by the Federal Communications Commission (47 CFR 54.500, 54.505(b)).
- Data from a different source, such as scholarship or financial assistance data.

The factor the State will use to determine which non-public schools are most impacted by the COVID-19 emergency is the number of COVID-19 infections per capita in the community or communities served by the non-public school.