

Policy: #07102026 PRWORA-Verification of Legal Status

Date: July 10, 2026

Section I: Federal Mandates and Guidance

“Grantees must comply with federal and state guidelines issued under:

- (1) V002A240051-FY25, dated July 25, 2025 which states that federal funds may not be used under this project in any manner that violates the United States Constitution, Title VI or Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq. or 42 U.S.C. § 2000e et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), section 504 of the Rehabilitation Act (29 U.S.C. § 794), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), the Boy Scouts of America Equal Access Act of 2001 (20 U.S.C. § 7905), section 117 of the Higher Education Act of 1965, as amended (20 U.S.C. § 1011f), or other applicable federal law. To the extent that a grantee uses grant funds for such unallowable activities, the U.S. Department of Education/Labor intends to take appropriate enforcement action including under section 451 of the General Education Provisions Act (GEPA), which may include the recovery of funds under section 452 of GEPA.
- (2) the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, P.L. 104-193) with a federal interpretive rule published in Federal Register/Vol. 90, No. 131/Friday, July 11, 2025. Grantees must also uphold and enforce the Personal Responsibility and Work Opportunity Reconciliation Act of 1966, which prohibits illegal aliens and other non-qualified aliens from receiving certain Federal public benefits, including "any....postsecondary education....or similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit. Verification of participant eligibility must follow State policy and/or may include verifying participant status through documents such as:
 - a. Review of REAL ID compliant identification cards (ineligible aliens are not able to obtain such ID's)
 - b. Review of U.S. birth certificates
 - c. The department of Homeland Security Systematic Alien Verification for Entitlements (SAVE) program
 - d. DHS issued documentation verifying immigration status OR
 - e. Other methods to verify eligibility”

Initially, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 did not significantly affect adult education in the United States. However, in fall 2025 the federal government issued new interpretations that affect how it is applied. The U.S. Department of Education rescinded longstanding guidance that had exempted certain career, technical, and adult education programs from PRWORA's restrictions for some noncitizens. Under the new interpretation, federally funded adult education and career and technical education programs are treated as "federal public benefits" subject to PRWORA's eligibility rules for non-qualified immigrants.

Key connections between PRWORA 1996 and adult education include:

- 1) **A shift from education to work:** PRWORA replaced the former welfare program with Temporary Assistance for Needy Families (TANF) and introduced work requirements for most recipients. States

were encouraged to move participants into jobs quickly rather than allowing extended periods of education or training.

- 2) **Limited Educational Activities:** Under PRWORA, only certain educational activities counted toward federal work participation requirements, and generally only for limited periods.
- 3) **Increased demand for Workforce-oriented Education:** Adult education providers adapted by offering workforce literacy programs, job-readiness training, short-term vocational certificates, Integrated Education and Training (IET) programs that combine academic instruction with occupational skills.
- 4) **State Flexibility:** PRWORA gave states considerable discretion in designing TANF programs. As a result, some states supported education as a pathway to self sufficiency while others focused primarily on immediate employment, providing fewer educational opportunities.
- 5) **Long-term Effects:** The law influence adult education by strengthening partnerships between adult education programs and workforce development agencies while encouraging career-focused instruction rather than purely academic learning. The law also highlighted the importance of helping adults gain employment while improving literacy and basic skills.

PRWORA changed the role of adult education by making employment the central goal of welfare policy. While it reduced opportunities for many welfare recipients to pursue long-term education, it also encouraged adult education programs to align more closely with workforce development and job preparation.

As of 2026, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 continues to shape adult education, but recent federal policy changes have renewed attention to how the law applies to educational programs—particularly for immigrant eligibility.

PRWORA's Continuing Influence on Adult Education

Although PRWORA itself has not changed, the federal government issued new interpretations in 2025 that affect how it is applied.

The U.S. Department of Education rescinded longstanding guidance that had exempted certain career, technical, and adult education programs from PRWORA's restrictions for some noncitizens. Under the new interpretation, federally funded adult education and career and technical education programs are treated as "federal public benefits" subject to PRWORA's eligibility rules for non-qualified immigrants.

These changes have prompted debate because supporters argue they align federal programs with PRWORA's original language, while critics contend they could reduce access to English language instruction, literacy programs, and workforce training for some immigrant adults. Litigation and state-level implementation continue to evolve.

Implications for adult education in 2026

Adult education programs increasingly emphasize:

- Workforce preparation and rapid employment.
- Short-term credential and certificate programs.

- Partnerships with workforce development agencies.
- Career pathways that integrate literacy, English language learning, and occupational skills.

At the same time, eligibility for some federally funded adult education services may now depend more heavily on immigration status because of the recent interpretation of PRWORA. The practical effects vary by program, funding source, and state implementation.

Section II: State Mandates & Guidance

Consultations with the Wyoming Attorney General's Office have provided the necessary guidance on how PRWORA is to be implemented for Adult Education centers in the State as indicated below.

All local providers of Adult Education (AE) in Wyoming which receive Federal 231, 243 or 225 funds are required to verify the legal status of students enrolling in a local AE center utilizing by utilizing the Verification of Lawful Presence in the United States form found on subsequent pages of this policy. Copies of this completed form along with copies of appropriate documentation which verifies the legal status of the enrolled student is to be retained in a local student file. Proof of identity is to be uploaded into the student's LACES record under 'Documents' prior to the commencement of any learning activity which includes initial testing.

Students who are (co)enrolled in an educational institution and are receiving Federal Financial Aid may be excluded from this process IF the local Financial Aid office can verify in writing that the student is qualified to receive Federal Financial Aid. In these instances, a copy of the written documentation provided by the Financial Aid office can be uploaded into the student's LACES record.

Local providers are also required to obtain social security numbers (SSN) from each enrolled participant, when applicable. Copies of social security cards or any other document containing SSN's should not be retained locally nor uploaded into a student's LACES record.

VISA Restrictions for Adult Education

In accordance with federal regulations, individuals in the U.S. on an F-1, B-1, or J-1 visa are not eligible to receive Adult Education services.

ESL students enrolled in K-12 are not eligible for Adult Education services.

The federal government is now requiring anyone who receives Adult Education services to prove that they are a U.S. citizen or are in the country legally before we are allowed to provide any help. The State of Wyoming has created this form to meet this requirement. In addition to signing the form, we need your permission to make a copy/take a picture of your verification proof to provide to the federal government upon request. In most cases, this proof is a valid driver's license, state ID card, tribal ID card, or passport.



Verification of Lawful Presence in the United States
Adult Education
Wyoming Community College Commission

Complete this form if an individual is enrolling in an Adult Education program in Wyoming and is:

- enrolled in an Integrated Education and Training (IET) program OR
- 16 years of age or older AND
- not enrolled or required to be enrolled in secondary school under Wyoming State law; AND is
 - a. basic skills deficient OR
 - b. has been placed, through a College placement exam, in a remedial reading, writing, and/or mathematics class.
 - c. does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education OR
 - d. is an English language learner

Eligibility for Adult Education Services

Please mark only ONE eligibility option. If you are not sure about your eligibility, please consult with program staff.

- ☐ I am a citizen of the U.S.A.
- ☐ I am a legal resident of the U.S.A.
- ☐ I am lawfully present in the U.S.A.
- ☐ I am an incarcerated Correctional Education student in the U.S.A.
- ☐ I am presently institutionalized in a community correctional program or another institutional setting in the U.S.A. (reformatory, detention center, halfway house, community-based rehabilitation center or any other similar institution designed for the confinement or rehabilitation of criminal offenders)

Affidavit

For the Wyoming Adult Education Program as Proof of Lawful Presence in the United States.

I affirm under penalty of perjury that I am a citizen of the United States, a legal resident of the United States, or otherwise lawfully present in the United States. Should my status change, I understand that it is my responsibility to withdraw from classes until such a time that I am again lawfully present in the United States.

Printed Name as it appears on identification presented: _____

Participant SSN: _____

Participant Signature: _____

Printed Name of Staff member witnessing Signature: _____

Witness Signature: _____ Date: _____

Verification of Eligibility

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, P.L. 104-193) with a federal interpretive rule published in Federal Register/Vol. 90, No. 131/Friday, July 11, 2025 requires grantees to uphold and enforce the Personal Responsibility and Work Opportunity Reconciliation Act of 1966, prohibiting illegal aliens and other non-qualified aliens from receiving certain Federal public benefits, including "any....postsecondary education....or similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit.

Pursuant to PRWORA, each local Adult Education provider must require enrolling applicants to produce documentation to verify a valid social security number, proof of identify and lawful presence in the United States, where applicable.

Local programs should select from the documents shown in the chart below by circling the document produced by the student to verify eligibility and uploading a copy of the document into the LACES database in the individual student record. Students who are unable to verify eligibility may not be enrolled in Adult Education unless federal guidance is modified to permit this.

	Social Security Number	Proof of identity	Proof of Lawful Presence
U.S. Citizens, U.S. Nationals, and Permanent Resident Aliens	Verification may include: ➤ Social security card issued by US Government <i>Note: Programs are expected to record SSN in LACES. Do not keep copies of SSN cards in a student file.</i> <i>If SSN is not available local programs may utilize one of the following documents that includes name and full SSN:</i> 1) W-2 form 2) SSA-1099 form 3) Non SSA-1099 form 4) Pay stub 5) Letter from the Soc. Security Administration indicating ineligibility to obtain a SSN as a result of legal presence status	At least one of the following documents must be verified by the local AE program with a copy of the document kept in the student file. 1) Valid photo REAL ID from any State 2) Valid, unexpired U.S. passport or passport card 3) Photo ID card issued by federal, state or local government agency/entity that contains a photograph, name, date of birth, sex, height, eye color, address. 4) U.S. Military Card 5) A valid tribal ID card issued by the governing body of the Eastern Shoshone Tribe or the Northern Arapaho Tribe of the Wind River Indian Reservation or any other federally recognized Indian Tribe. 6) A certified copy of a birth certificated filed with the State Office of Vital Statistics or equivalent agency in the state of birth 7) Consular Report of Birth Abroad (CRBA) issued by the U.S. Dept. of State, form FS-240, DS1350, or FS-545 8) Valid, unexpired permanent resident alien card, conditional permanent resident card, form I-551 9) Certificate of naturalization issued by DHS, form N550 or N-570 10) Certificate of citizenship issued by DHS, form N-560 or N-561 11) Seafarer or Maritime ID Card 12) Evidence of the receipt of federal financial aid for postsecondary education	

	Social Security Number	Proof of identity	Proof of Lawful Presence
Non-U.S. individuals with a legal presence in the USA	Verification may include: ➤ Social security card issued by US Government Note: Do not keep copies of SSN cards in a student file. If SSN is not available local programs may utilize one of the following documents that includes name and full SSN: 1) W-2 form 2) SSA-1099 form 3) Non SSA-1099 form 4) Pay stub 5) Letter from the Soc. Security Administration indicating ineligibility to obtain a SSN as a result of legal presence status	At least one of the following documents must be verified by the local AE program with a copy of the document kept in the student file. 1) Unexpired foreign passport with a valid visa with: -I-94 Arrival/Departure Records should be annotated with one of the following: *Asylee *Refugee *Parolee (paroled for at least 1 year under INA Sec 212(d)(5)) *Cuban/Haitian Entrant *Conditional Entrant 2) A valid foreign passport with a temporary I-551 notation for immigrants entering with immigrant visas 3) Unexpired Employment Authorization (EAD) issued by DHS, form I-766 or form I-688B. 4) Photo ID card issued by federal, state or local government agency/entity that contains a photograph, name, date of birth, sex, height, eye color, address	At least one of the following documents must be verified by the local AE program with a copy of the document kept in the student file. 1) Unexpired immigrant or non-immigrant visa status for admission into the U.S.A. issued by the U.S. Federal Government 2) Dept. of Homeland Security (DHS) issued documentation to verify immigration status may include: -USCIS/Alien Registration Number (A-Number) -Form I-94, arrival/departure record number -Card number I-797 Receipt Number -DACA Approval Notice 3) HHS Office of Refugee Resettlement: Victim of Trafficking (T Visa holder or certification letter from HHSE) 4) Battered Non-citizen with a pending or approved VAWA Petition (Form I-360)

Note: In accordance with federal regulations, individuals in the U.S. on an F-1, B-1, or J-1 visa are **not eligible to receive Adult Education services.**

ESL students enrolled in K-12 are **not eligible for Adult Education services.**