

**County of Orange Social Services Agency**  
**Family Self-Sufficiency/Foster Care Program**

**Program/Area:** Foster Care Program  
**Title:** Citizenship, Noncitizen and Permanently Residing Under the Color of the Law (PRUCOL)  
**Number:** 711 **Status:** *Signature on File*  
**Effective Date:** 01/11/16 **Revision Date:**  
**Approved:**

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**PURPOSE** The purpose of this policy is to provide guidelines to verify citizenship and Permanently Residing Under the Color of the Law (PRUCOL) status for Foster Care children.

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**OVERVIEW** All Foster Care children shall meet citizenship and noncitizen requirements of the Aid to Families with Dependent Children Foster Care (AFDC-FC) program in order to be eligible for Federal or State Foster Care funds. Historically, counties have had to pay for out-of-home placement costs if the children were not eligible for either Federal or State Foster Care funds. Foster Care providers were not subject to citizenship or noncitizen requirements except for children who are qualified noncitizens within five years and the caretaker is also undocumented.

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**ELIGIBILITY REQUIREMENTS** The citizenship or noncitizen status of a Foster Care child must be verified prior to authorizing aid. The following children can receive Federal or State AFDC-FC:

<b>Federal</b>	<b>State</b>
<ul style="list-style-type: none"><li>• United States (US) Citizen</li></ul>	<ul style="list-style-type: none"><li>• United States (US) Citizen</li></ul>
<ul style="list-style-type: none"><li>• Qualified Noncitizen</li></ul>	<ul style="list-style-type: none"><li>• Qualified Noncitizen</li></ul>
	<ul style="list-style-type: none"><li>• Permanently Residing in the US Under Color of Law (PRUCOL). Relatives cannot receive funding under PRUCOL. See <b>PRUCOL</b> section below.</li></ul>

**CITIZENSHIP**

### **US Citizenship can be defined as:**

- Born in the United States, or
- Born in a US Territory: American Samoa, American Virgin Islands, Guam, Puerto Rico, Northern Mariana Islands, or
- Be a naturalized citizen
- Have derivative citizenship (BOTH parents are US citizens)

### **Citizenship verification:**

The following certified documents verify citizenship when the date and place of birth (city only is acceptable) is included:

- Birth certificate
- Adoption papers (only if person is born in the US)
- US Passport (even if expired)
- Certificate of citizenship or naturalization provided by United States Citizenship and Immigration Services (USCIS)
- Other government document

### **Citizens born outside the US:**

- Documentation that birth was registered with the United States Embassy/Consulate, or
- USCIS documentation of citizenship, or
- Documentation that BOTH parents were US citizens

### **QUALIFIED NONCITIZENS**

#### **Qualified Noncitizens can be defined as:**

- Noncitizens Lawfully Admitted for Permanent Residence in the US

See [Noncitizen Eligibility P & P 100 C 3](#)

#### **Qualified Noncitizen verification:**

- USCIS Form I-551 known as a “green card” is valid for 10 years. Must be renewed before the expiration date.
- Unexpired Temporary I-551 stamp in foreign passport or on USCIS I-94

For more information on documentation, refer to the following attachments:

- [List of Acceptable USCIS Documentation to Verify Qualified Noncitizen Status](#), and
- [Examples of Acceptable USCIS Documentation to Verify Qualified Noncitizen Status](#)

## **UNQUALIFIED NONCITIZENS**

Unqualified Noncitizens defined as:

- Individuals who were lawfully admitted to the US for temporary residence
- Individuals who are not in the US lawfully
- Individuals who are in violation of the term of a non-immigrants visa after entering the US legally (Undocumented)
- Individuals who are in the US as a visitor

**Note:** Children who are unqualified noncitizens can receive State AFDC-FC as long as a PRUCOL application is submitted to USCIS. If placed with a relative evaluate for Approved Relative Caregiver (ARC) Program. See [ARC Program P & P 705](#).

Qualified noncitizen foster children who reside with unqualified noncitizen providers are ineligible for federal foster care benefits for a period of five years from the date of entry into the United States. If at any time during the five-year time requirement the child is placed with a citizen or qualified noncitizen provider and meets all eligibility requirements, the child may be eligible for federal foster care benefits. If the child is subsequently placed with an unqualified noncitizen provider within the five-year time requirement, federal eligibility ceases and so on until the passage of five years from the date of entry.

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### **NONCITIZENS PERMANENTLY RESIDING IN THE U.S. UNDER COLOR OF LAW (PRUCOL)**

Permanently Residing Under Color Of Law (PRUCOL) refers to noncitizens living in the U.S. with the knowledge and permission of the Department of Homeland Security and who the Department of Homeland Security does not plan to deport. In some cases the PRUCOL noncitizen may have filed an application for permanent residency. In other cases, the noncitizen may have been granted permission to remain in the U.S. under another immigration classification. PRUCOL noncitizens are potentially eligible for certain public benefits in California.

All children in court-ordered out-of-home placements who lack noncitizen documentation must have a PRUCOL packet submitted. The PRUCOL packet includes the following

documents:

- G-845 Supplement- PRUCOL, [MC 845](#)
- Verification Request, [G-845](#)

### **U.S. Citizenship and Immigration Services**

300 N. Los Angeles Street, B120  
Los Angeles, CA 90012  
Attn: Immigration Status Verification Unit

The purpose of the packet is to obtain State funding to pay for placement costs. Therefore, a packet must be submitted, so if placement type changes (i.e. any other placement type except relative) it will ensure smooth payment transition. Upon the PRUCOL packet being submitted to USCIS, State funding should be utilized for all placement costs other than a relative placement. If placed with a relative evaluate for Approved Relative Caregiver (ARC) Program. See [ARC Program P & P 705](#). PRUCOL application packet can be processed prior to placement of a child.

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#### **REQUIRED FORMS**

PRUCOL Application Request, [F063-31-28-PRUCOL](#)  
G-845 Supplement- PRUCOL, [MC 845](#)  
Verification Request, [G-845](#)

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#### **REFERENCES**

[Noncitizen Eligibility P & P 100 C 3](#)  
[ARC Program P & P 705](#)  
[Medi-Cal Eligibility Information Letter I-12-04](#)  
County Fiscal Letter- [CFL 01/02-42](#)  
ACWDL 89-84  
Eligibility and Assistance Standards (EAS) Manual Section 42-431 and 42-433

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