

# **DEMOCRACY AND COLLEGE STUDENT VOTING**

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## Introduction

The right to vote is widely acknowledged as central to any democratic society. The difficulty facing American politics is the relatively low participation rates of the voting age public. As many political analysts have documented, over the past 30 years voting among the electorate has either declined or at best stagnated at roughly 50 percent of the electorate in presidential elections. Numbers dip considerably in the off year elections when the presidency is not up for decision. Some have labeled this the problem of the “disappearing electorate.”<sup>1</sup>

One segment of the voting age population that contributes to this overall problem is the group of potential voters in the 18-24-age cohort and, more narrowly, those who are attending college or university of this age. As we document below, this group of potential voters has maintained a consistently low rate of voter registration and voter turnout in national elections.

Multiple factors likely contribute to the low rates of participation of this voting group, including youth, inexperience, transient status in their communities and political culture. However, state residency laws affecting where students can register and vote are perhaps the most serious barriers to active participation. While student voting rights are generally protected in the use of absentee ballots, many students are discouraged and prohibited by state law and administrative interpretation of law from establishing legal residency in their college communities sufficient for voting rights in those communities.

This analysis first casts a light on the nature of this problem in the context of democratic theory. We argue that college students have strong claims for being permitted and indeed encouraged to register and vote in their college communities. College students ought to be considered full fledged citizens of their college communities and exhorted to participate fully in the politics and affairs of those communities, including voting for not only national and state political officials but also local officials and referenda as well.

We then turn to three sets of data to document the problem and make our case for encouraging states and local boards of elections to change statutes and administrative practices to facilitate student voting in their college communities. First, we sketch a profile of the national problem of nonvoting among college students focusing on the patterns that have emerged over the past seven presidential elections.

Second, we lay out the results of our survey of state laws and administrative practice describing the variation in law and practice among the states and the District of Columbia regarding residency laws and student voting. Finally, we explore the registration and voting rates of the 18-24 year old age group for the 1996 presidential election, using that age cohort as an indirect measure of college student voting.

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<sup>1</sup> Ruy Teixeira, *The Disappearing American Voter* (Washington, D.C. : Brookings Institution, 1992).

## *College Student Voting and Participatory Democracy*

### Maximization of Citizen Participation

A healthy democracy maximizes citizen participation in collective decision-making thereby maximizing individual freedom and the freedom of the community. To paraphrase Jean Jacques Rousseau, we are most free when we obey laws we prescribe to ourselves. Thus, the higher the level of participation in influencing the laws by which we must live, the greater the democracy and the greater the freedom. At a minimum, in our representative democratic system, this means the maximization of citizen voting at all levels of electoral politics.

Given that most of us live our lives primarily in our local communities, we should be most active in the politics of those communities if the democratic ideal is to be fulfilled. Laws and administrative practices for registration and voting ought to facilitate as much voting participation as possible. This principle should apply no less to college students living in the community than other citizens.

### Citizenship

To get to the heart of the ambiguous place of college students within their communities, we need to revisit the meaning of citizenship. Since most college students are residents of a community for at least nine months of the year, they must obey the local ordinances passed by the local government. They are not immune to the laws guiding rental properties, for instance, or traffic and parking laws. The duties and obligations of citizenship apply to students no less than other citizens.

An additional dimension of citizenship involves the contributions each brings to the community, including economic resources, such as capital and human labor, intellectual, political and social resources. Invariably, college students bring enormous resources of all kinds to their communities: millions of dollars are spent on rent, restaurants, gasoline, and a variety of entertainment venues in college and university towns. Students provide a youthful and energetic labor force, for both profit and non-profit activities.

In sum, college students contribute significantly to their college communities and are obligated to obey the laws of those communities. Consequently, students ought to qualify as full citizens and deserve the legal right to register, vote and be active in the local politics of the community. Indeed, to the extent that institutional features of the state law and local government inhibit students from participating, students are being denied their full democratic rights.

### Education

Curiously, apolitical, inactive college students learn much in their four years of college, but largely fail to develop the political skills and practical knowledge that could enhance their intellectual development. Most do not know who is mayor or how the city council influences their lives.

Yet, if they could vote in their communities, not only for president of the United States, but also for the local mayor and city council, they would likely become better informed and more

committed to their college communities. Indeed, the quality of student participation in the national elections might also improve the more they participate at the local level. As John Stuart Mill, the 19<sup>th</sup> century English philosopher noted,

“...A political act, to be done only once in a few years, and for which nothing in the daily habits of the citizen has prepared him, leaves his intellect and his moral dispositions very much as it found them...We do not learn to read or write, to ride or swim, by being merely told how to do it, but by doing it, so it is only by practicing popular government on a limited scale, that the people will ever learn how to exercise it on a larger.”<sup>2</sup>

The educational benefits of participation may be particularly important for young voters. Youthful immaturity and inexperience would more quickly dissipate through earlier exposure and participation in local politics.

### Social Connectedness

A relationship may also exist between ties to community, a “social connectedness”, and the motivation to vote. As citizens become more involved in their communities, as they develop a “stake” in society, they may become more interested in voting. This natural dynamic should apply to students as well.<sup>3</sup>

People may see voting as one way of being connected to their communities, enabling them to influence the direction of their communities. However, if students are discouraged from exercising voting rights, they will be less likely to become socially committed. Social and political commitments may go hand in hand and can affect each other, either positively or negatively.

### Constitutional Rights and Federal Law

Finally, student rights to choose their residency for the purpose of voting rights are now largely supported by both constitutional interpretation and federal law. Equal protection and due process rights are likely violated when different residency requirements are applied to students as opposed to non-students. As Kenneth Eshleman notes,

“...Non-students are not usually expected to demonstrate long-term residential intent, prove financial independence of parents or even show a local address on their driver’s license. When students are disqualified if they fail to provide this information, they are clearly denied equal protection. When it is unclear what students must do to acquire residency, due process rights are also violated.”<sup>4</sup>

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<sup>2</sup> Quoted in Carole Pateman, *Participation and Democratic Theory*, (Cambridge: Cambridge University Press, 1970), 31.

<sup>3</sup> Op. Cit

<sup>4</sup> Kenneth L. Eshleman, *Where Should Students Vote? : The Courts, the States and Local Officials*, Lanham: University Press of America, 1989), 149.

With the passage of the twenty-sixth Amendment to the Constitution in 1971, the federal government lowered the voting age to eighteen and greatly expanded the potential for college student electoral participation. Moreover, national policy has progressively done away with literacy tests, poll taxes, and overly restrictive residency requirements for registration.

### Opposition to Student Voting in College Communities

Yet, historically, local opposition has emerged against college student voting. Students are often viewed as a very transient part of the population, having only the most superficial interest in the local community. They are fundamentally visitors who see the community as a means and not an end.

However, the law does not require long-term community commitment for voting for non-student adults who also may be transient. Movement of people in and out of communities is quite common. Few suggest that voting rights ought to be dependent on longevity within a community, except when it comes to college students. Moreover, as already noted, under the proper circumstances, students could become quite knowledgeable about their communities and wish to participate forcefully.

Interestingly, another common fear is that students may become too interested and “take over the town”, disproportionately influencing the local political scene. In this view, chaos and disruption of the local community are likely to ensue. Yet, in those communities where student participation rates have increased above normal and students have become a more formidable force in local politics, a crisis of institutions at the local level has failed to materialize.<sup>5</sup>

### The Role of Absentee Voting

Is it sufficient simply to ensure ready access to absentee ballots to secure voting rights for college students? On the one hand, greater access to absentee ballots would help to increase student voting in state and national elections. On the other hand, absentee ballots fail to address the rights of students to be involved and influential in their local communities. Only through voting in their college communities can students exercise their full rights as citizens.

### Required College Town Residency and Voting or Student Choice?

The overall force of this argument suggests simply that students be treated like most if not all other citizens and be required to vote where they live. Since they live, for all intents and purposes, in the communities where they attend college that is where they should vote. Curiously, however, this policy option has failed to emerge in law anywhere in the country. Instead, as we spell out in detail below, state laws either restrict students to register in their parents' communities or give them a choice of registering and voting in their parents' community or in their college town.

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<sup>5</sup> *Ibid*, 158. Eshleman identifies other arguments made over the years such as “the danger of fraud”, “administrative inconvenience”, and others of even less merit. None of these concerns rise to the necessary force to override the arguments in favor of student voting in their communities.

As a practical matter, given the two operating practices, we believe strongly that students at least be given the choice of residency with encouragement to participate in the politics of their college town communities. Student choice state laws and administrative practices would best advance the full development of college student participation in democracy.

## *College Students and the Problem of Nonvoting*

### Historical Pattern of Voter Registration and Turnout

Before making our case regarding residency requirements, we first sketch a picture of the pattern of college student registration and voting, nationally across the presidential elections from 1972-96. We must rely on the 18-24 year old age cohort as an indirect measure for college student registration and voting participation. Although it includes non-college students age 18-24, it also includes the vast majority of college students.<sup>6</sup>

In 1972, after the ratification of the 26<sup>th</sup> Amendment a year earlier, voters between the ages of 18 and 24 were allowed to vote for the first time in our nation's history. Although this greatly expanded the college student population eligible to vote, that population has been significantly less likely to register and/or vote in each presidential election than the voting age population (VAP) as a whole. (See Table 1.)

Table 1

#### Historical Comparisons: 18 to 24 Age Group v. Aggregate VAP

	Registered		Voted	
	18-24	Total VAP	18-24	Total VAP
1972	58.90%	72.30%	49.60%	63.00%
1976	51.30%	66.70%	42.20%	59.20%
1980	49.20%	64.10%	39.90%	48.50%
1984	51.40%	68.30%	40.80%	59.90%
1988	48.20%	66.60%	36.20%	57.40%
1992	52.50%	68.20%	42.80%	61.30%
1996	48.70%	65.90%	32.40%	54.23%
Overall	51.46%	67.44%	40.56%	57.65%

*Source:* U.S. Federal Election Commission, *Voter Registration and Turnout in Federal Elections by Age 1972-1996* (Available at <http://www.fec.gov/pages/agedemog.htm>).

<sup>6</sup> Except for selective elections, the Bureau of the Census collects data routinely only of the 18-24 year old age cohort, not further divided between college students and non-college students. However, we believe that the 18-24 year old cohort captures this group of voters sufficiently to enable us to make some reasonable inferences about the nature of registration and voting patterns for this group. Approximately, 36% of this cohort is enrolled in college and over 60% of college students are between the ages of 18 and 24. (US Census Bureau, Current Population Survey: October 1999 School Enrollment Social and Economic Characteristics of Students: Table 1. Enrollment Status of the Population 3 Years Old and Over by Age, Sex, Race, Hispanic Origin, Nativity, and Selected Educational Characteristics: on Census Bureau Web Page [Table Online]; accessed 20 April 2001; available at <http://www.census.gov/population/socdemo/school/p20-533/tab01.pdf>; Internet.)

It is interesting, and important to note, that although low voter turnout among the college age population has been widely reported as a problem, apparently it has not been taken seriously enough by governmental or other groups to warrant data collection, which could paint a clearer picture of the situation.

For the purpose of this analysis, registration rates are most important because the potential institutional barrier of residency laws directly affect the act of registration and only indirectly the act of voting. As the registration data indicate, over the course of two and half decades, student registration is roughly 52 percent compared to the 67 percent rate of the whole voting age population. On average, the registration level of college students is 16 percentage points below that of the total voting age population.

Further comparisons with other age group cohorts dramatize the differences. In contrast to the 52 percent registration rate for the 18-24 year cohort, the other cohorts (including 25-44, 45-64 and 65+) registered 66 percent, 74 percent and 76 percent, respectively on average. The registration rate of seniors, age 65 and over was 24 percentage points higher than young people in the 18-24 age cohort.

### College Students as Nonvoters: Lack of Fit with the Demographic Profile?

Many studies have been done on the phenomenon of voting such that we now have a reasonable picture of the demographic profiles of both voters and nonvoters. The characteristics of non-voters typically include low income, low education, low status occupation, low efficacy and youth. Correspondingly, voters are more likely to be individuals with higher incomes, higher education, higher status occupations and of older age.<sup>7</sup>

It has become a social axiom that registration and voting is a class-skewed phenomena, with the expectation that as one rises in the socio-economic ladder, registration and voting rates climb. Lower class citizens with little education, lower incomes, static and dead end jobs tend to have little efficacy, little confidence in the electoral system and therefore have the lowest turnout rates at election time.<sup>8</sup>

While college students share the lower turnout rates with lower class citizens, they do not share the other demographic characteristics. To the contrary, college students as a whole are upwardly mobile middle and upper middle class citizens whose prospects are bright in terms of income and occupation that typify voters of higher turnout rates. In other words, the socio-economic factors that may depress lower class voting behavior are unlikely to be factors in the registration and voting behavior of college students. Other factors must therefore be involved.

### Political and Social Attitudes

Over the past several years, we have seen significant media coverage of the rise of political apathy among the nation's college students. The current generation of young adults is reported to have little interest in politics or public service in general. The days of student

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<sup>7</sup> For a recent discussion of these profiles, see Stephen Wayne, Ch. 2, "The Popular Base of American Electoral Politics: Suffrage and Turnout", in his book. *Is This Any Way to Run a Democratic Election?* Boston, Houghton Mifflin, 2001.

<sup>8</sup> See the following for a recent illustration of this point. D. S. Broder, "The 30 Million Missing Voters," *Washington Post*, 16 July 2000, B7.

idealism and youthful activism, it is claimed, have disappeared. In fact, college students have often been generally described as “lazy”, at least in terms of social activism.<sup>9</sup>

Some recent studies have discovered startling trends. In a study conducted by the Institute of Politics at Harvard University, over 60 percent of college undergraduates do not trust the Federal government to “do the right thing all or most of the time.” Also, nearly two-thirds of college students feel that selfish interests, rather than the public good, motivate elected officials. Perhaps the most telling figure is that over 70 percent of those surveyed believe that political candidates, campaigns, and institutions are not interested in the positions of students on important political issues.<sup>10</sup> A widely reported 1998 survey of college freshmen administered by researchers at the University of California at Los Angeles revealed that a mere 27 percent of college student believe that staying informed about politics is important. This percentage is down from over 40% in 1990.<sup>11</sup>

The statistics, however, do not always support the notion that college students have turned from public service as well as politics. According to the Harvard study, over 85 percent of undergraduates believe that community volunteerism is more effective than political engagement in solving problems within the community and over 60 percent feel that volunteerism is more effective in addressing national issues as well. Contradicting the characterization of this generation as “lazy” nearly 60 percent reported that they had engaged in some form of community service within the past year. That is compared to less than 16 percent who had joined political organizations.<sup>12</sup> In fact, the Center for Campus Organizing claims that activism is as present among students today as at any time since the late sixties but that without any great issues to serve as highly visual focal points it often goes unnoticed.<sup>13</sup>

Yet, evidence of activism notwithstanding, the Harvard Study makes clear that one significant problem is college student perceptions of the political process and their abilities to influence politics. According to that study, key perceptual barriers include: (1) “a perceived lack of knowledge about the issues; (2) a lack of understanding about how to get involved; and (3) a lack of enjoyment in the political process. In response, the study’s authors identify and recommend a number of “measures” that would likely increase the participation rates of college students.<sup>14</sup>

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<sup>9</sup> R. Sanchez, “College Freshmen have the Blahs, Survey Indicates; Academic, Civic Apathy Reach Record Levels,” *The Washington Post*, 30 September 1992, A1.

<sup>10</sup> Harvard Institute of Politics, *Attitudes Toward Politics and Public Service: A National Survey of College Undergraduates*, on *Institute of Politics Web Page* [survey report online] (Cambridge, Mass.: Harvard University, 2000, accessed 13 December 2000); available from <http://www.ksg.harvard.edu/iop/survey-report.pdf>; Internet, 9.

<sup>11</sup> R. Sanchez, “College Freshmen.”

<sup>12</sup> “Attitudes,” 6.

<sup>13</sup> P. Drier, “The Myth of Student Apathy,” *The Nation*, 13 April 1998, 20.

<sup>14</sup> These “measures” include: (1) Demystifying the process through means which may include simplified absentee registration and voting, internet voting, and websites dedicated to providing political information and opportunities for involvement to students; (2) Showing students that politics is an effective way to make concrete changes, an example of which would be providing examples of past cases in which politically active students made a difference; (3) Providing incentives such as academic credit for political activity or loan forgiveness and signing bonuses for public service; and (4) Meeting the candidates, which would include more direct contact with campaigns, institutions, and the candidates themselves.

To the study's credit, they see the need to "demystify" the process of absentee balloting and provide more information for college students to vote from college particularly for national political elections. Active university administration, for example, could establish voter registration and education programs that would highlight absentee voting procedures and that would likely lead to some increase in student participation.

However, completely absent from this study's attention is the phenomena of residency barriers to voting and the importance of voting in local elections. Interestingly, one of the survey's responses shows that students on balance trust local government to "Do the Right Thing Most of the Time" roughly 20 percentage points higher than they trust the Federal Government (52 percent vs. 32 percent). This suggests that students may be more open to participation at the local level than in national or state politics. The question then becomes, why is it that they don't participate in the politics of their local governments?<sup>15</sup>

The answer may be that many cannot, at least through voting. Absentee voting is the only voting option for many college students. The very nature of absentee voting keeps the political process at a distance for most people in any case and most perhaps for youthful voters just beginning to get exposed to the process. Overly restrictive residency requirements may be a central structural deterrent that discourages otherwise primed citizens to vote in local elections.

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<sup>15</sup> "Attitudes," 8.

## *Residency Laws and Administrative Practices*

In this part of the investigation, we faced two empirical questions: What do the state laws and the law of the District of Columbia say regarding residency requirements for student voting and is there significant variation among the laws? Second, if variation emerges, does it affect registration and turnout among college students?

To determine the status of residency laws and their administration regarding college students, we pursued two data collection strategies. First, we collected and examined the relevant sections of the statutes of all fifty states and the District of Columbia.<sup>16</sup> Second, we conducted a survey of each state's board of elections as well as the District of Columbia, through both telephone and electronic mail. Some states were contacted by telephone; forty seven states through electronic mail with thirty eight responding to the e-mail inquiries.

We presented our contact at each election board with the same hypothetical scenario: Would a college student, temporarily living in a community for educational purposes, be able to register to vote in their college community? We also inquired as to the type of verification required of the student to establish legal residency. We suggested examples such as an address on a driver's license, automobile registration, bank accounts and tax returns.

A key part of the research strategy was to determine the correct interpretation of the state laws on this question. We also sought to understand the administration of those laws regardless of the apparent statutory meaning. Hence, the purpose of the telephone and e-mail survey was to gather information on the contemporary interpretation of the statutes and how the law has been applied.

### Variations in Law and Administrative Practices: Restrictive and Student Choice States

The results of our research confirm the utility of Eshelman's twofold classification approach, including "restrictive" states and "student choice" states as indicated in Figure 1. Restrictive states are those that employ residency requirements in their statutes and engage in administrative interpretation and practice that make it difficult, if not impossible, for college students to register to vote in their college communities. Many of these states define residency as "that place in which the person's habitation is fixed, and to which, whenever absent, the person has the intention to return", implying in this case, that the "fixed habitation" for students is not their college town but their previous residence.

Many restrictive states also enforce a "no gain/no loss" provision, which means that students neither gain a new residency when they attend college nor do they lose their residency connected to their previous domicile. Most states with no gain/no loss provisions specifically mention domicile for educational purposes as a temporary situation not according official residency. Mississippi, for example, explicitly forbids out-of-state college students from claiming residency in that state.

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<sup>16</sup> As a result of this investigation, we excluded North Dakota from our analysis of the impact of residency laws on voter registration because North Dakota does not require voter registration. Indeed, it is the only state in the country that does not require any form of registration for elections. See "North Dakota . . . The Only State Without Voter Registration," Elections Division, State of North Dakota on <http://www.state.nd.us/sec.>"

Finally, most of the restrictive states also require extensive proof of residency, including address on driver's license, automobiles registration, bank accounts and tax returns. Some states even consider as relevant the residence of immediate family members. All of these minutiae tend to weigh against the students gaining official residency in their college communities.

In contrast, student choice states are those that allow students, either through explicit statutory language or administrative practice to determine their own residency for voter registration purposes. Only four states specifically accord students this right in their statutes – Louisiana, Iowa, North Carolina and Wisconsin. For example, the North Carolina statute specifically mentions students and states that a student "...may claim the college community as his domicile. He need not also intend to stay in the college community beyond graduation in order to establish his domicile there."

California and Maine come close in their statutes when they indicate that their "no gain/no loss provision "shall not be construed to prevent" college students from registering to vote in their college communities. Most of the student choice states require minimal proof of residency for registration purposes

We also classified as student choice those states that had either vague or in some cases even restrictive statutory language but whose administrative practice in fact gave students the option of declaring their college community residency for purposes of voter registration. As indicated earlier, wherever statutory language conflicted with administrative practice, we classified according to the latter because it is the actual practice by election officials that determines the outcome for students.

After considering all relevant information, including text of laws and information culled from telephone interviews and e-mail correspondence, we concluded that twenty-eight states and the District of Columbia were student choice in practice. (See Figure 1.) As noted earlier, only a handful of these states have choice explicitly articulated in state law. The rest of these choice states had either vague language or seemingly restrictive statutory language that is interpreted with flexibility by election officials to allow students to choose.

In our judgment, twenty-one states are presently restrictive in their practices. In most cases, their laws were explicitly restrictive and were stringently administered accordingly. Many of these states required extensive proof of residency, which likely deters students from successfully declaring residency in their college communities.<sup>17</sup>

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<sup>17</sup> In Eshelman's study, he identified 23 states as restrictive, 25 as vague or "no mention" of students, and only two as student choice as of 1989. Part of the difference between his classification and ours may be explained by at least two factors. First, whereas he relied primarily on interpretation of statute, we tilted our judgment towards administrative practice as reported by election board officials reported through telephone interview or e-mail correspondence. As it turned out, these responses made clear that practice leaned either against students or for student choice in place of residency and therefore voter registration. Many more states were able to enter into the student choice category because of this judgment. Second, as Eshelman had observed, a trend towards greater flexibility had already been revealed in the period under his analysis. In the intervening twelve years, from 1989 through 2001, further flexibility towards students in other states appears to have emerged.

Figure 1

Residency Requirement Classification

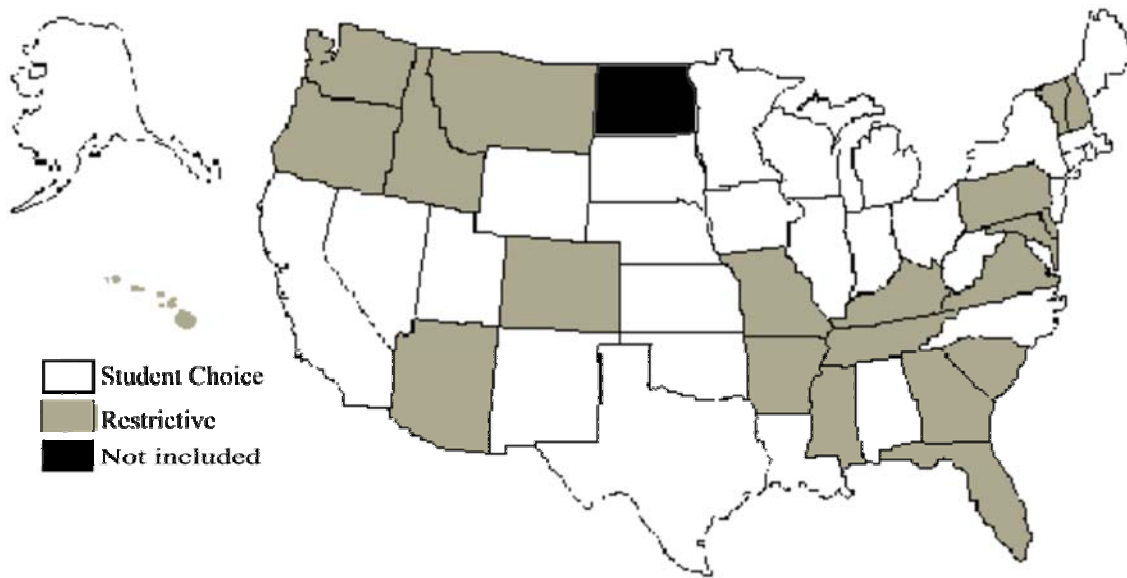


Table 2 illustrates the placement of the various states and the District of Columbia according to both statutory status and implementation or administrative practice. In essence, we made a twofold judgment in every case: First, regarding statutory language, was the statute restrictive, vague or without mention of college students; or explicitly student choice? Second, was the practice restrictive or student choice?

One additional observation: As is revealed by this table, many states that had restrictive statutes were student choice in implementation. However, no state that had a clear student choice statute was implemented in a restrictive fashion. All four states with clear “choice” language in their state laws were interpreted as giving students choice in residency.

Table 2

Restrictive and Student Choice Residency Requirements:  
State Classifications by Statute and Administrative Practice

Statutory Language			
		Restrictive, Vague or No Mention of Students	Student Choice
Administrative Practice	Restrictive	Arkansas Arizona Colorado Delaware Florida Georgia Hawaii Idaho Kentucky Maryland Mississippi	Missouri Montana New Hampshire Oregon Pennsylvania South Carolina Tennessee Vermont Virginia Washington
	Student Choice	Alabama Alaska California Connecticut District of Columbia Illinois Indiana Kansas Maine Massachusetts Michigan Minnesota Nebraska	Nevada New Jersey New Mexico New York Ohio Oklahoma Rhode Island South Dakota Texas Utah West Virginia Wyoming Iowa Louisiana North Carolina Wisconsin

## Student Choice as Trend?

All in all, combining the observations made by Eschelman with our own, we conclude that while many states remain restrictive, the trend would appear to be towards student choice in practice. In other words, to the extent that we can document changes in either statute or administrative practice, the change usually has been towards allowing student choice rather than tightening up residency requirements and making it more difficult for students to register in their college communities.

Texas is a good example of this trend. In 1970, Texas law specifically required that a student attempting to register to vote must first prove his intent to remain a resident after his studies were completed. By 1985, the Texas statute no longer mentioned the status of students with regards to residency, although an advisory opinion still suggested that student registration be restricted. Our research revealed that while Texas law remains as vague as it was in 1985, the state now allows for student choice in its application.<sup>18</sup>

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<sup>18</sup> Kenneth L. Eschelman, *Where Should Students Vote?*, 69.

***Impact of Variation in Residency Laws and Administrative Practice:  
The 1996 Presidential Election***

Given the variation in residency laws and their application to students, does the historical record reveal any significant difference in registration and voting patterns among college students in the various states and the District of Columbia? To explore this question, we first attempted to collect voter registration and turnout statistics for college students in each state for each presidential election since the voting age was lowered to 18, thus beginning with the 1972 presidential election. Unfortunately, as already noted, registration and voting statistics broken out by college student status is unavailable. Additionally, data broken out by age within the states is available only for the 1996 presidential election. Our focus then is the 1996 election.<sup>19</sup>

Before looking at the data it needs to be emphasized that both students and non-students make-up the 18 to 24 age group and the presence of the latter will undoubtedly reduce the effect of the student choice/restrictive state classification. This is because non-students, who make up over 60 percent of the sample, have historically low voter registration and turnout and will deflate the turnout statistics in student choice states.<sup>20</sup> In such states the increase in participation among students will have to be significant enough to "shine through" the cloud of low participation by their non-student counterparts. Still the differences may not be great. The best findings we obtain may be small, but consistent in showing the differences between student choice and restrictive states.

What can the 1996 election data tell us? At the simplest level of analysis, we expect that student choice states on average, when compared to restrictive states, would have a higher percentage of 18 to 24-year olds registered to vote and higher voter turnout. Table 3 shows this to be the case indicating that the Student Choice states outpaced the Restrictive states in both registration and turnout by about 4 percent in both cases.

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<sup>19</sup> U.S. Census Bureau, Current Population Survey: November 1996 Voting and Registration Tables for States: Table 4A, Reported Voting and Registration, by Race, Hispanic Origin, and Age, for States; on Census Bureau Web Page [Table Online]; accessed 2 December 2000; available at <http://www.census.gov/population/socdemo/voting/96cps/tab4A.txt>; Internet

<sup>20</sup> U.S. Census Bureau, *Voting and Registration in the Election of 1992, Series P-20*, (Washington, DC: U.S. Government Printing Office, 1993), p.466.

Table 3

Voter Registration and Voter Turnout by  
Residency Requirement Classification

Residency Requirement Classification	Registration	Voter Turnout
Student Choice	51.17%	34.66%
Restrictive	47.36%	30.73%
Average	49.57%	33.01%

*Source:* U.S. Census Bureau, *Current Population Survey: November 1996 Voting and Registration Tables for States: Table 4A, Reported Voting and Registration, by Race, Hispanic Origin, and Age, for States*, (Available at <http://www.census.gov/population/socdemo/voting/96cps/tab4A.txt>).

If residency requirements influence registration rates and voter turnout, we would expect that the top five states would likely be student choice and the bottom five restrictive. We find some confirmation of these expectations. Table 4 shows that the top five states with the highest registration rates are indeed student choice, with Wisconsin leading the pack at 68.92 percent registration rate. Similarly, three of the five states with the lowest registration rates are restrictive states, with New Mexico and Nevada, choice states, not consistent with expectations.

Table 4

Top and Bottom 5 States in Registration of 18-24 Age Cohort

State	Top Classification	Reg. Rate	State	Bottom Classification	Reg. Rate
Wisconsin	Choice	68.92%	New Mexico	Choice	40.63%
Alaska	Choice	63.79%	Florida	Restrictive	39.97%
Minnesota	Choice	59.56%	Vermont	Restrictive	38.46%
South Dakota	Choice	58.46%	Hawaii	Restrictive	38.21%
Kansas	Choice	57.72%	Nevada	Choice	31.30%

*Source:* U.S. Census Bureau, *Current Population Survey: November 1996 Voting and Registration Tables for States: Table 4A, Reported Voting and Registration, by Race, Hispanic Origin, and Age, for States*, (Available at <http://www.census.gov/population/socdemo/voting/96cps/tab4A.txt>).

Voter turnout rankings, in Table 5, also give support to the importance of residency requirements. The top five states are student choice states and three of the bottom five states are restrictive states.

Table 5

Top and Bottom 5 States in Voter Turnout of 18-24 Age Cohort

State	Top Classification	Reg. Rate	State	Bottom Classification	Reg. Rate
Connecticut	Choice	45.42%	West Virginia	Choice	26.11%
Kansas	Choice	42.68%	Oregon	Restrictive	24.03%
Wisconsin	Choice	42.34%	Hawaii	Restrictive	23.58%
Wyoming	Choice	42.00%	Florida	Restrictive	22.32%
Minnesota	Choice	40.44%	Nevada	Choice	18.26%

*Source:* U.S. Census Bureau, *Current Population Survey: November 1996 Voting and Registration Tables for States: Table 4A, Reported Voting and Registration, by Race, Hispanic Origin, and Age, for States*, (Available at <http://www.census.gov/population/socdemo/voting/96cps/tab4A.txt>).

This initial review suggests that certainly other factors will influence registration and turnout such that some choice states will have lower than expected rates and some restrictive states will have higher rates than expected. Many of these factors affect the voting habits of all voters, not simply college students or one age group. Due to these factors, a state's overall voter registration or turnout may be lower or higher than the national average regardless of age or student status.

In order to further refine our analysis to variables that affect the 18 to 24 age population in particular, we examined the relationship between registration and turnout of the specific age group in a given state to overall registration and turnout in that state (See Table 6). By comparing this relationship to that same relationship on the national level, we factor out those variables that affect the voting and registration habits of the entire population and concentrate on those factors that are specific to the age group we are examining.

In terms of voter registration (see Table 6), in student choice states the average gap between the 18 to 24 age group and the overall voting age population is 17.86 percentage points. We would expect states with restrictive residency requirements to have a larger deficit in registration of this age group when compared to their overall registration. Indeed, among restrictive states, the average gap is 19.84 percentage points, a slightly larger gap than among student choice states. The smallest registration gap was exhibited by Wisconsin (8.70 percent), a choice state, as we would expect. Similarly, the largest gap (33.66 percent) belongs to the restrictive state of Vermont. This too is in accordance with our hypothesis.

Table 6

Variance of Registration and Voting by 18-24 Age Group to State VAP by Residency Requirement Classification

Residency Requirement Classification	Registration Gap (18 to 24 - VAP)	Voting Gap (18 to 24 - VAP)
Student Choice	-17.86%	-22.55%
Restrictive	-19.84%	-24.50%
Average	-18.69%	-23.37%

*Source:* U.S. Census Bureau, *Current Population Survey: November 1996 Voting and Registration Tables for States: Table 4A, Reported Voting and Registration, by Race, Hispanic Origin, and Age, for States*, (Available at <http://www.census.gov/population/socdemo/voting/96cps/tab4A.txt>).

The average gap for the 49 states and D.C. was 23.37 percentage points (see Table 6). Student choice states averaged a gap of 22.55 percentage points and restrictive states were larger at 24.50. Once again, the gap is larger among restrictive states. In fact, these figures closely resemble the registration figures discussed earlier; both represent a difference of approximately 2 percent in the size of the gaps of restrictive and student choice states respectively. The largest gap in terms of voter turnout belonged to Oregon (37.01 percent) while the smallest was exhibited in the case of Connecticut (13.08 percent). Once again, these states' respective classifications are no surprise: Oregon is a restrictive state and Connecticut is a choice state.

The numbers suggest that status as a student choice state is associated with approximately a 10 percent reduction in the size of the registration gap, and an 8 percent reduction in the size of the voter turnout gap. As mentioned earlier, we would expect a larger difference in registration than in voting simply because the fact that a person is registered to vote is not a guarantee that they *will* vote, thus evidence of voter turnout relationships is diluted.

In summary, the registration and voting data for the 1996 presidential election appear to support the argument that variation in residency laws and application likely have an impact on rates of registration and voting among college students. To be sure, given the limitations of the data, this conclusion can only be tentative.

***Conclusions and Policy Recommendation:  
Democracy and Student Choice***

The analysis in this study leads to two basic observations. First, variation continues to exist among states regarding the treatment of college student voting rights. While many states have clear laws or administrative practices conducive for voting in college communities, a substantial number continue to maintain unfair restrictive laws and practices. Second, while our data is limited, it does lend empirical support to the argument that registration and voting rates of college students are affected by variations in law and administrative practice. Where laws and practice allow for student choice, rates of participation are likely to be higher than in states where laws and practices do not allow choice. Restrictive law and practices are, unsurprisingly, discouraging college students from registering to vote.

In the light of these observations and the weight of democratic theory, we believe that the proper policy course to follow is for restrictive states to change their statutes and their administrative practices and embrace a student choice model or require students to vote only in their college communities. These two policy options are most likely to increase college student registration and voting participation in our elections. College students would finally enjoy more fully the democratic powers that are rightfully theirs, and our democracy, both locally and nationally, would likewise be enhanced.

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