

**Andrew Goodman Foundation
Citizens Union
Common Cause/NY
Generation Vote
League of Women Voters of New York State
New York Public Interest Research Group (NYPIRG)
Reinvent Albany**

May 23, 2024

Henry T. Berger, Co-Chair, NYS Board of Elections
Peter S. Kosinski, Co-Chair, NYS Board of Elections
Essma Bagnuola, Commissioner, NYS Board of Elections
Anthony J. Casale, Commissioner, NYS Board of Elections
Kristen Zebrowski Stavisky, Co-Executive Director, NYS Board of Elections
Raymond J. Riley III, Co-Executive Director, NYS Board of Elections

New York State Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

Dear Commissioners and Executive Directors of the New York State Board of Elections:

As organizations concerned with youth voter participation, we write to urge that you review polling locations to ensure that all covered colleges have polling locations placed on campus.

A recent study conducted by the New York Public Interest Research Group (please see attached) showed that some number of colleges in the state do not have on-campus poll sites even though many have a significant number of students living on campus.

There are over one million college students in the state. Across New York, colleges are filled with students who historically are less likely to vote yet have a common community. The unfortunate history of student voting has been one in which officials too often seek to suppress participation among this voter segment.

A key battleground has been the right of students to vote in their college communities. Perhaps not surprising, local elected officials and boards of elections did not, in all cases, look kindly upon the newly enfranchised student electorate. Even though college students are—for the purposes of the federal census—considered residents of college communities, efforts to limit the student vote persisted. After years of court battles, boards of elections in New York are required to register students to vote from their campus addresses if the student wishes.

As has been the case when fundamental rights are extended to new groups—which threatens the *status quo*—securing the *legal right* to vote did not mean that *actually voting* would be easy for young voters.

As a result, barriers persisted. Year after year, students have faced obstacles to registration and voting in counties around the state. For example, some counties split campus populations into multiple election districts or removed the campus poll site.

In 2022, New York State enacted a new law that required General Election polling places be placed on colleges and universities that had at least 300 registered voters living on campus. That legislation was approved to help college students vote in elections from their on-campus addresses.

Under the new state law, colleges that have “three hundred or more registrants who are registered to vote at any address on such contiguous property” must have a polling place placed on “contiguous property or at a nearby location recommended by the college or university and agreed to by the board of elections.” Despite the new law, New York’s college voter turnout in 2022 was disappointing, with a turnout under 30 percent.

As mentioned earlier, part of the problem is that it appears that many colleges did not have polling places as was expected after passage of the new law. Did those campuses have fewer than 300 registered voters living on campus? Or was it a failure of the law or its enforcement? Those questions have not yet been answered.

Our organizations believe that it is imperative for policymakers to examine this issue and see whether state law needs to be strengthened or implementation falls short – or both. *However, the issue must be examined – failure to allow college students the opportunity to cast their ballots on campus is an indefensible restriction on their constitutional right to vote.*

Therefore, we urge that the State Board review polling locations, review whether the colleges identified in the NYPIRG survey should have polling sites and ensure that any such colleges that should have polling places, but do not, have one added prior to the General Election this November. If your review identifies weaknesses in the current statute, we urge that you make recommendations for reforms.

We look forward to working with you to ensure that college students are adequately empowered to vote.

Sincerely,

Rashawn Davis, Andrew Goodman Foundation
Ben Weinberg, Citizens Union
Susan Lerner, Common Cause/NY
Brendan Cushing, Generation Vote
Laura Ladd Bierman, League of Women Voters of New York State
Blair Horner, NYPIRG
John Kaehny, Reinvent Albany

Cc: State Senator Zellnor Myrie
State Senator Kevin Parker
State Assemblymember Latrice Walker
State Assemblymember Nily Rozic

NYPIRG

May, 2024

Policy Close Up

New York State's Law Mandating Polling Places On Colleges

New York Public
Interest Research
Group

9 Murray Street, Lower
Level,
New York, NY 10007

Summary: In 2022, New York initiated an important new program to help young adults attending college to more easily vote. NYPIRG analyzed 199 colleges (217 campuses, some colleges have multiple campuses) in New York State, of which 147 have dorms located on their premises. This review of the locations of polling places for college students living on-campus identifies a wide gap between those campuses that have dorms and the number that have polling places.

Background:

Despite the constitutional promise, students too often face obstacles to voter registration and participation across the state. Students live in their college communities anywhere from nine to twelve months of the year, for at least four years. Students are no more transient than the average American family, who typically moves once every five years.¹ Moreover, the U.S. Census Bureau considers students residents of their college community in its once-in-a-decade survey.² Thus, the federal government distributes funds to municipalities based on the student population. Students contribute to their communities in many valuable ways. They work as volunteers in a host of civic organizations, create jobs in the community, bolster the local economy, and pay sales and gasoline taxes.

In 2022, New York State enacted a new law that required General Election polling places be placed on colleges and universities that had at least 300 registered voters living on campus.³ That legislation was approved to help college students vote in elections from their on-campus addresses. The outcomes were disappointing.

One reason is that at many colleges, students were encouraged to register in ways that required them to apply for absentee ballots. The State University system offered information to students in order to help them to navigate the registration process, but the simplest option was to register through the DMV online voter registration process. In doing so, those voters were registered from the address on their drivers' licenses, typically an address that is not the one from their college. Thus, these students would have to vote via an absentee, while seeing a polling place on their campus. Any obstacle to a first-time voter is an obstacle that can result in a ballot being cast.

The new on-line voter portal⁴ offers an opportunity for students to register outside of the DMV system. However, while this option will allow new voters to register on-line directly into the SBOE, it does require that the individual create a state account⁵ and then manually enter the relevant information one needs to register.

The option to simply go through the DMV website is still there and, in that case, the would-be voter’s information is pulled from the license making it easier to register.

Additionally, there could have been less access to polling places on college campuses than advocates expected. This review examines that second possibility.

Our Review:

In March, the State Board of Elections issued the locations of polling places statewide. These locations were to be available during the upcoming primaries. According to the SBOE, there is an expectation that additional polling places could be added prior to the General Election.⁶

Starting in April, NYPIRG researchers conducted a comparison between those polling locations and the addresses of college campuses that have dormitories. NYPIRG compiled a list of campuses statewide, determined whether each college had full time students living on campus and, using the state Board of Elections’ list of 2024 election day polling places, determined the closest polling place for each campus with dorms.

Of course, simply having dorms on-campus does not mean that there should be a polling place. Under New York law, colleges that have “three hundred or more registrants who are registered to vote at any address on such contiguous property” must have a polling place placed on “contiguous property or at a nearby location recommended by the college or university and agreed to by the board of elections.”⁷

Our review does *not* examine whether 300 registered voters are located on campuses that have dorms. We do, however, find that there are many colleges that could have polling sites and do not and that policymakers should examine the underlying reasons why they do not.

What We Have Found:

Category	Number of Campuses
Total number of college and university <i>campuses</i> (there are some colleges that have multiple campus locations)	217
Campuses without dorms	70
Campuses with dorms and polling places on campus (six of these had a polling place contiguous to campus)	47
Campuses with dorms and polling places located <i>within</i> one half mile	39
Campuses with dorms and polling places located more than <i>one half mile</i> away	61
Campuses with dorms, enrollment of 1,000 or more full time students and polling places <i>one mile</i> or more away (subset of row above)	29

As seen above, there are a considerable number of colleges that have dorms that do not have polling places on – or near – their campuses.

This review is consistent with the findings of other researchers⁸ who have also concluded that there is a significant gap between campuses with dormitories and those that have polling places located on them.

The question is why?

Our research does *not* answer that question, but it must be imperative for policymakers to examine this issue and see whether state law needs to be strengthened or implementation falls short. *However, the*

*issue must be examined – failure to allow college students the opportunity to cast their ballots on campus is an indefensible restriction on their constitutional right to vote.*⁹

College Student Voting:

Across New York, colleges are filled with students who are less likely to vote yet have a common community. The unfortunate history of student voting has been one in which officials too often seek to suppress participation.

Year after year, students have faced obstacles to registration and voting in counties around the state. Some counties target students by further splitting campus populations into multiple election districts or removing the campus poll site.¹⁰

The courts have weighed in and defended the rights of college students to register and vote from the college addresses. Like all other adults, college students can designate their residence for the purposes of voting. **College students are allowed to choose to vote either from their college address or their family's address.**

On-Campus Voting: Success In Florida

Expansion of early voting polling locations is vital to improve voter turnout rates. *Florida* hosted early voting polling sites on college campuses for their 2018 general election. These polling sites saw much higher participation rates of voters ages 18-22 and of Black and Hispanic voters. Twelve college campuses had early polling locations in nine participating counties, and 60,000 voters cast their votes in those counties. The majority of those casting their votes were between the ages of 18 and 29, 22,000 being between 18-22.

This also encouraged voters who previously sat out the 2016 general election to participate. About 47,700 voters who took advantage of early on-campus voting were registered before the 2016 general election. Fifteen percent (nearly 7,300) of these voters did not vote in 2016. This program also allowed over 100 voters who attempted to vote by mail in 2016 and had their ballot rejected to successfully cast their ballot in 2018.¹¹

Across New York, colleges house students who are vital members of their community but face significant obstacles to voting. Increasing the number of polling sites on college campuses is crucial to democracy. For young adults, voting access can lead to increased civic participation in their respective communities. New York State's vast network of colleges and universities presents an opportunity to build on recent youth turnout high-water marks.

As has been the case when fundamental rights are extended to new groups—which threatens the *status quo*—securing the *legal right* to vote did not mean that *actually voting* would be easy for young voters. NYPIRG and countless student and voting rights advocates have fought hard over the past four decades to ensure that students and other young people can exercise their right to vote.

A key battleground has been the right of students to vote in their college communities. Perhaps not surprising, local elected officials and boards of elections did not, in all cases, look kindly upon the newly enfranchised student body. Even though college students are—for the purposes of the federal census—considered residents of college communities, efforts to limit the student vote persisted. After years of court battles, boards of elections in New York are required to register students to vote from their campus addresses.

Since voting is a habit that must be ingrained and supported in the early years of eligibility—which coincide with typical college years—New York should support voting by students on campus.

Current Law:

“Whenever a contiguous property of a college or university contains three hundred or more registrants who are registered to vote at any address on such contiguous property, the polling place designated for such registrants shall be on such contiguous property or at a nearby location recommended by the college or university and agreed to by the board of elections.

a. Each election district shall be in compact form and may not be partly within and partly without a ward, town, city, a village which has five thousand or more inhabitants and is wholly within one town, the contiguous property of a college or university which contains three hundred or more registrants who are registered to vote at any address on such contiguous property, or a county legislative, assembly, senatorial congressional district. Except as provided in paragraph b of this subdivision, election district boundaries, other than those boundaries which are coterminous with the boundaries of those political subdivisions and college or university properties mentioned in this paragraph, must be streets, rivers, railroad lines or other permanent characteristics of the landscape which are clearly visible to any person without the need to use any technical or mechanical device. An election district shall contain not more than nine hundred fifty registrants (excluding registrants in inactive status) or, with the approval of the county board of elections, not more than two thousand registrants (excluding registrants in inactive status), but any election district may be divided for the convenience of the voters.”¹²

Methodology:

NYPIRG compiled a list of college campuses in New York State including addresses and whether the college has on campus housing. We then received a complete list of polling places from the State Board of Elections. Using Google maps, we determined the closest polling place to each college campus. Distance is measured in miles using Google Maps' walking distance rather than by car or public transit. Enrollment data comes from the State Education Department (SED). For campuses with no enrollment data on SED's website we consulted college websites, Data USA and U.S. News and World Report.

One additional note: We considered polling places less than one tenth of a mile away as contiguous, so for example the Alfred University polling place is considered on campus. The polling place abuts the campus. For polling places one tenth of a mile or more away, we did not consider it contiguous. We reviewed college campuses using Google Maps and judged the distance between campus and the closest poll site. The word contiguous is open to at least some interpretation so there could be some schools with a polling place more than one tenth of a mile away that the Board of Elections considers contiguous.

¹ Ocampo, Sergio, “How Often Does the Average American Move?” MoveBuddha, December 13, 2023, <https://www.movebuddha.com/blog/how-often-americans-move/>.

² U.S. Census Bureau, “In Student Housing, Off Campus or With Parents, College Students Count in 2020 Census,” <https://www.census.gov/library/stories/2020/01/student-housing-off-campus-with-parents-college-students-count-2020-census.html>.

³ See Section 4-104, subdivision 5a of the election law. The relevant section states, “5–a. Whenever a contiguous property of a college or university contains three hundred or more registrants who are registered to vote at any address on such contiguous property, the polling place designated for such registrants shall be on such contiguous property or at a nearby location recommended by the college or university and agreed to by the board of elections.”

⁴ See <https://nyovr.elections.ny.gov/>.

⁵ See <https://my.ny.gov/LoginV4/login.xhtml>.

⁶ NYPIRG phone call with SBOE.

⁷ Section 4-104, subdivision 5a of the election law.

⁸ Bard College Center for Civic Engagement, “Bard Center for Civic Engagement Prepares Report on Poll Sites on College Campuses,” February 16, 2024, <https://cce.bard.edu/news/bard-center-for-civic-engagement-prepares-report-on-poll-sites-on-college-campuses-2024-01-06>.

⁹ New York State Constitution, Article II, Section 1.

¹⁰ Examples of college students being unfairly targeted in elections; <http://www.nyclu.org/news/nyclu-dutchess-county-protect-college-students%E2%80%99-voting-rights> and <http://www.nbcnews.com/news/asian-america/ny-attorney-general-raises-concerns-over-challenges-chinese-american-voters-n453801>.

¹¹ The Andrew Goodman Foundation, “On-Campus Early In-Person Voting in Florida in the 2018 General Election,” August 9, 2019, <https://andrewgoodman.org/on-campus-early-voting-fl/>.

¹² Section 4-104, subdivision 5a of the election law.

CAMPUS	CITY	DORMS (Y/N)	POLLING PLACE ON CAMPUS	DISTANCE TO NEAREST POLLING PLACE (Miles)
King's College	Manhattan	Y	N	0.1
City College	Manhattan	Y	N	0.2
Fordham University	Manhattan	Y	N	0.2
Jewish Theological Seminary of America	Manhattan	Y	N	0.2
Keuka College	Keuka Park	Y	N	0.2
LIU Brooklyn	Brooklyn	Y	N	0.2
D'Youville College	Buffalo	Y	N	0.2
Union Theological Seminary	Manhattan	Y	N	0.2
Yeshiva University	Manhattan	Y	N	0.2
Yeshiva University- Stern College for Women	Manhattan	Y	N	0.2
Alfred State College	Alfred	Y	N	0.3
American Academy of Dramatic Arts	Manhattan	Y	N	0.3
Fordham University	Bronx	Y	N	0.3
Icahn School of Medicine at Mount Sinai	Manhattan	Y	N	0.3
Manhattan School of Music	Manhattan	Y	N	0.3
St. Joseph's College	Brooklyn	Y	N	0.3
State University of New York Downstate Health	Brooklyn	Y	N	0.3
University at Buffalo	Buffalo	Y	N	0.3
Bryant & Stratton College	Syracuse	Y	N	0.4
Hobart and William Smith Colleges	Geneva	Y	N	0.4
LANDER COLLEGE FOR MEN	Manhattan	Y	N	0.4
LANDER COLLEGE FOR WOMEN	Manhattan	Y	N	0.4
Russell Sage College	Troy	Y	N	0.4
State University of New York Upstate Medical U	Syracuse	Y	N	0.4
Albany College of Pharmacy and Health Science	Albany	Y	N	0.5
Albert Einstein College of Medicine	Bronx	Y	N	0.5
Daemen College	Amherst	Y	N	0.5
Elmira College	Elmira	Y	N	0.5
Houghton College	Houghton	Y	N	0.5
Mercy College	Dobbs Ferry	Y	N	0.5
Mercy College	Manhattan	Y	N	0.5
Queens College	Queens	Y	N	0.5
Rensselaer Polytechnic Institute	Troy	Y	N	0.5
Russell Sage College	Albany	Y	N	0.5
St. John's University	Queens	Y	N	0.5
St. Thomas Aquinas College	Sparkill	Y	N	0.5
State University of New York at Fredonia	Fredonia	Y	N	0.5
State University of New York at Geneseo	Geneseo	Y	N	0.5
State University of New York at Morrisville	Morrisville	Y	N	0.5
College of Mount Saint Vincent	Riverdale	Y	N	0.6
Iona College	New Rochelle	Y	N	0.6
Monroe Community College	Rochester	Y	N	0.6

Sarah Lawrence College	Yonkers	Y	N	0.6
St. John's University	Staten Island	Y	N	0.6
Wagner College	Staten Island	Y	N	0.6
Adirondack Community College	Queensbury	Y	N	0.7
Hofstra University	Hempstead	Y	N	0.7
Roberts Wesleyan College	Rochester)	Y	N	0.7
University of Rochester	Rochester	Y	N	0.7
Vaughn College of Aeronautics and Technology	Queens	Y	N	0.7
Colgate University	Hamilton	Y	N	0.8
North Country Community College	Saranac Lake	Y	N	0.8
St. Joseph's College	Patchogue	Y	N	0.8
State University of New York Maritime College	Bronx	Y	N	0.8
Broome Community College	Binghamton	Y	N	0.9
Hartwick College	Oneonta	Y	N	0.9
Hilbert College	Hamburg	Y	N	0.9
Marist College	Poughkeepsie	Y	N	0.9
St. Lawrence University	Canton	Y	N	0.9
State University of New York at Canton	Canton	Y	N	0.9
State University of New York at Cobleskill	Cobleskill	Y	N	0.9
Buffalo State College	Buffalo	Y	N	1
Nazareth College	Rochester	Y	N	1
State University of New York at Potsdam	Potsdam	Y	N	1
Dutchess Community College	Poughkeepsie	Y	N	1.1
Five Towns College	Dix Hills	Y	N	1.1
Mount Saint Mary College	Newburgh	Y	N	1.1
Niagara County Community College	Sanborn	Y	N	1.1
Paul Smith's College	Paul Smiths	Y	N	1.1
State University of New York at Delhi	Delhi	Y	N	1.1
United States Merchant Marine Academy	Kings Point	Y	N	1.1
Utica College	Utica	Y	N	1.1
Molloy College	Centre	Y	N	1.2
Siena College	Loudonville	Y	N	1.2
Sullivan County Community College	Sullivan	Y	N	1.2
The Fei Tian College	Middletown	Y	N	1.2
Union College	Schenectady	Y	N	1.2
Webb Institute	Glen Cove	Y	N	1.2
Jefferson Community College	Watertown	Y	N	1.3
Tompkins Cortland Community College	Dryden	Y	N	1.3
College of Staten Island	Staten Island	Y	N	1.4
Hamilton College	Clinton	Y	N	1.5
Herkimer County Community College	Herkimer	Y	N	1.5
State University of New York at Oneonta	Oneonta	Y	N	1.5
LIU Post	Greenvale	Y	N	1.6
United States Military Academy	West Point	Y	N	1.6
State University of New York Polytechnic Instit	Utica, Marcy	Y	N	1.7

Dominican College	Orangeburg	Y	N	1.9
State University of New York at Farmingdale	Farmingdale	Y	N	2
St. Bonaventure University	Allegany	Y	N	2.1
Niagara University	Lewiston	Y	N	2.1
Northeast College of Health Sciences	Seneca Falls	Y	N	2.6
Culinary Institute of America	Hyde Park	Y	N	2.8
Stony Brook University (Southampton)	Southampton	Y	N	3.1
Corning Community College	Corning	Y	N	3.2
St. John Fisher College	Pittsford	Y	N	3.5
Fulton-Montgomery Community College	Johnstown	Y	N	4.3
The Fei Tian College	Cuddebackville	Y	N	4.5
New York Institute of Technology	Old Westbury	Y	N	4.7
State University of New York at Old Westbury	Old Westbury	Y	N	4.7
Cooper Union	Manhattan	Y	Y	contiguous
Jamestown Community College	Jamestown	Y	Y	contiguous
Pratt Institute	Brooklyn	Y	Y	contiguous
Adelphi University	Garden City	Y	Y	
Alfred University	Alfred	Y	Y	
Bard College	Hudson	Y	Y	
Barnard College	Manhattan	Y	Y	
Baruch College	Manhattan	Y	Y	
Binghamton University	Vestal	Y	Y	
Brooklyn College	Brooklyn	Y	Y	
Canisius College	Buffalo	Y	Y	
Clarkson University	Potsdam	Y	Y	
Columbia University	Manhattan	Y	Y	
Cornell University	Ithaca	Y	Y	
CUNY Graduate Center	Manhattan	Y	Y	
Fashion Institute of Technology	Manhattan	Y	Y	
Genesee Community College	Batavia	Y	Y	
Hunter College	Manhattan	Y	Y	
Iona College	Bronxville	Y	Y	
Ithaca College	Ithaca	Y	Y	
Juilliard School, Lincoln Center for the Perform	Manhattan	Y	Y	
Le Moyne College	Syracuse	Y	Y	
Manhattanville	Purchase	Y	Y	
Marymount Manhattan College	Manhattan	Y	Y	
Mohawk Valley Community College	Utica	Y	Y	
Monroe College	New Rochelle	Y	Y	
New York University	Manhattan	Y	Y	
Onondaga Community College	Syracuse	Y	Y	
Pace University	Manhattan	Y	Y	
Pace University	Pleasantville	Y	Y	
Rochester Institute of Technology	Henrietta	Y	Y	
Skidmore College	Springs	Y	Y	

St. Francis College	Heights	Y	Y	contiguous
State University of New York at Brockport	Brockport	Y	Y	
State University of New York at Cortland	Cortland	Y	Y	
State University of New York at New Paltz	New Paltz	Y	Y	
State University of New York at Oswego	Oswego	Y	Y	
State University of New York at Plattsburgh	Plattsburgh	Y	Y	
State University of New York at Purchase	Purchase	Y	Y	
State University of New York College of Enviro	Syracuse	Y	Y	
Stony Brook University	Stony Brook	Y	Y	
Syracuse University	Syracuse	Y	Y	
The New School	Manhattan	Y	Y	
University at Albany	Albany	Y	Y	
University at Buffalo	Amherst	Y	Y	
Vassar College	Poughkeepsie	Y	Y	
Brooklyn Law School	Brooklyn	Y	Y	contiguous