

College Student Voter Ineligibility

Impact on Turnout Estimates

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The Institute for Democracy and Higher Education (IDHE) is a research center and think tank on college student political learning and engagement in democracy. IDHE's research focuses on student voting, campus conditions for political learning, political agency and equity, and classroom teaching practices. The Institute's signature initiative is the National Study of Learning, Voting, and Engagement (NSLVE), a service to more than 1,000 U.S. colleges and universities nationally that provides participating institutions with free, tailored reports containing their students' voting rates broken down by student characteristics and major.

NSLVE is a one-of-a-kind database and a rich resource for studying college student civic engagement as measured by voting. It is increasingly used in research and has become a focus of media attention,^{1,2} and campus competitions have sprung up to boost institutional voting rates using NSLVE data.^{3,4} The dataset contains about 10 million student enrollment records matched with publicly available voting records for each of the 2012, 2014, and 2016 national elections. Records are de-identified before IDHE receives them, so NSLVE does not contain student names or information that will identify a particular student. (To sign up your campus, visit <https://idhe.tufts.edu/nslve/join>) In addition to providing campus voting reports, researchers use NSLVE to understand institutional contexts or practices that encourage electoral participation and to identify campuses with unpredicted high voting rates in order to learn promising practices for student political learning, discourse, and engagement.

NSLVE started in 2012 when, around that time, the collection of voting records had become sophisticated enough for academic research, and because the National Student Clearinghouse was beginning to use student records for research. Given the newness of this initiative, we look for ways to improve the dataset on an ongoing basis. Our goal is to help others—including institutional researchers, higher education practitioners, and journalists—understand the dataset and interpret reports.

As with nearly all voting rate calculations, some ineligible voters are difficult to parse out, and they become part of the sum of eligible voters used in analyses. One exception is NSLVE institutions' overall voting rates, which we can adjust by subtracting the number of nonresident alien students from total enrollment. (IPEDS provides the number of nonresident alien students per institution.) Numbers of ineligible voters are relatively small, though, so when we are not able to adjust for them we believe this limitation does not significantly affect overall voting rates. The practice of including some ineligible voters, however, can potentially bias voting rates of student subgroups that are likely to contain higher proportions of ineligible voters, and this report sheds light on which groups those might be.

Postsecondary students who are ineligible to vote generally fall into one of four government-defined categories: non-resident alien/international student, resident alien, undocumented student or DACA recipient, and U.S. citizen disenfranchised due to a felony conviction. In this report, we describe several categories of students who are ineligible to vote, estimate their relative sizes, and suggest potential impacts on calculations of college student voting rates.

¹ Roll, N. (2018, September). Study: College student voting rose in 2016 election. *Inside Higher Ed*. Available at <https://www.insidehighered.com/quicktakes/2017/09/21/study-college-student-voting-rose-2016-election>

² Stockman, F. (2018). How college campuses are trying to tap students' voting power. *New York Times*. Available at <https://www.nytimes.com/2018/03/03/us/students-voter-turnout.html>

³ All IN Campus Democracy Challenge. <http://www.allinchallenge.org/how-it-works/what/>

⁴ Big Ten Voting Challenge. <https://ginsberg.umich.edu/B1G-voting-challenge>

Which college students are ineligible to vote in the U.S.?

Green card holders/Resident aliens. Lawful permanent resident (LPR) green card holders are resident aliens and generally reported to the federal government by universities as domestic students.

The number of green card holders/resident aliens enrolled in higher education is difficult to estimate. In 2016 there were 194,230 green card holders in between 15 and 24 years old, which includes the traditional 18 to 24 year old age range of college students.⁵ Because reports do not list green card holders' occupational or educational status, however, we cannot draw conclusions about the number of people with LPR status enrolled in higher education.

International students/Nonresident aliens. Overall, slightly over 1 million international students are enrolled in U.S. higher education institutions⁶ According to the Institute of International Education, the proportion of international students has increased annually since 2006.² However, reports of drops in international student applications suggest this upward trend may stall or reverse.^{7,8} Despite residing in the U.S. during their studies, international students are exempt from the resident alien status and fall into the non-resident alien (NRA) category. For the most part, this is a legal distinction with significance for tax purposes.⁹ When reporting to the National Student Clearinghouse, which provides de-identified student data to NSLVE, an institution has the option of including international/NRA students. However, IDHE does not receive this information for most students in NSLVE, so we are not able to fully account for international students in the NSLVE database. About two-thirds of international students come to study in the U.S. from countries in Asia.¹⁰ A large portion international students enroll in STEM programs of study, including engineering, math and computer science, and physical and life sciences. In 2016-17, 44% of international students at U.S. higher education institutions were enrolled in these STEM programs of study, an increase of 2% from the previous year.¹¹

Undocumented students and DACA recipients. Undocumented students are non-U.S. citizens or non-Permanent Residents who do not hold a current visa to reside in the U.S. and have not been approved for legal residency in the U.S. While little data is available on the number of undocumented students enrolled in U.S. higher education institutions, some reports have estimated counts. Approximately 65,000 undocumented students graduate from high schools in the U.S. each year, and an estimated five to ten percent of these students go on to higher education (Russell, 2011). This amounts to about approximately 3,000 to 6,000 undocumented first-year college students enrolling in college each fall. If these students remain in college for four years, there may be between 12,000 to 24,000 undergraduate students who are undocumented. This number represents only a small proportion of the 20 million U.S. higher education students overall. However, these students may tend to be over-represented at institutions in particular states and regions with inclusive tuition policies, especially at institutions with inclusive tuition policies, so college student turnout estimates for these regions could be disproportionately affected. For instance, as of 2015, 16 states have passed laws providing in-state tuition to undocumented students (WA, OR, CA, UT, CO, NE, KS, TX, NM, MN, IL, NY, MD, NJ, CT, and FL). Four other states (HI, MI, OK, and RI) offer in-state benefits through university systems.¹²

⁵ U.S. Department of Homeland Security Office of Immigration Statistics Policy Directorate. (2017). "U.S. Lawful Permanent Residents: 2016, Annual Flow Report, Dec 2017." Available at:

https://www.dhs.gov/sites/default/files/publications/Lawful_Permanent_Residents_2016.pdf

⁶ Institute of International Education. (2017). "International Student Enrollment Trends, 1948/49-2016/17." Open Doors Report on International Educational Exchange. Available at <http://www.iie.org/opendoors>

⁷ Wingfield, N. (2017, November). The disappearing American grad students. *New York Times*. Available at <https://www.nytimes.com/2017/11/03/education/edlife/american-graduate-student-stem.html>

⁸ Saul, S. (2017, March). Amid 'Trump effect' fear, 40% of colleges see dip in foreign applicants. *New York Times*. Available at <https://www.nytimes.com/2017/03/16/us/international-students-us-colleges-trump.html?action=click&contentCollection=U.S.&module=RelatedCoverage®ion=EndOfArticle&pgtype=article>

⁹ For tax purposes, international students can be considered resident aliens if they pass the substantial presence test for any particular calendar year. This is described in detail here: <https://www.irs.gov/individuals/international-taxpayers/substantial-presence-test>. For electoral purposes, international students on a student visa are considered non-resident aliens.

¹⁰ Institute of International Education. (2017). "Places of origin." Open Doors Report on International Educational Exchange. Available at <http://www.iie.org/opendoors>

¹¹ Institute of International Education. (2017). "International Students by Field of Study, 2015/2016 - 2016/17." Open Doors Report on International Educational Exchange. Available at <http://www.iie.org/opendoors>

¹² National Immigration Law Center, <https://www.nilc.org/issues/education/eduaccesstoolkit2a/#tables>

Since 2015, five additional state university systems have adopted policies providing in-state tuition to undocumented students (University of Hawaii, University of Michigan, Oklahoma State, Rhode Island, and now University of Maine).¹³

The now-suspended Deferred Action for Childhood Arrivals (DACA) program, which started in 2012, has provided work permits and deportation relief to nearly 800,000 young unauthorized immigrants as of 2017.¹⁴ The vast majority are likely not enrolled in college at all, but some are. Those enrolled at NSLVE institutions are counted in turnout estimates as eligible voters because we have no way of identifying DACA recipients in NSLVE. States with the highest numbers of DACA recipients include California and Texas.¹⁵ California approved 223,000 initial applications between 2012-2017, and Texas approved 121,000.

Students disenfranchised due to felony conviction. Approximately 6 million U.S. citizens are ineligible to vote due to a current or past felony conviction, and half are estimated to have already served prison, parole, and probation time.¹⁶ Although we do not know how many of these individuals are enrolled in college, these state policies disproportionately affect men and African Americans who are incarcerated at high rates. In some states, felony convictions rescind people's right to vote for life (AL, AZ, DE, FL, IA, KY, MS, NE, NV, TN, WY).¹⁷ Florida, Kentucky, and Tennessee have especially high proportions of citizens ineligible to vote (9-10%), and in Florida, Kentucky, and Tennessee, over one-fifth of African Americans are ineligible to vote due to a felony conviction, according to a 2016 report.¹⁸

Categories of college students ineligible to vote

Category	Estimated size of group	College student turnout estimates likely to be most affected (i.e., underestimated)
International students/Nonresident aliens	About 1 million international students are enrolled in higher education, comprising about 5 percent of the 20 million higher education students in the U.S. About half of international students are in STEM fields and about two-thirds come to study in the U.S. from countries in Asia.	STEM students, Asian students
Green card holders/Resident aliens	There are over 1 million Lawful Permanent Residents in the U.S.; about 175,000 are between ages 15 and 24. Among all U.S. higher education students, about 60% are under 25 years old. Applying this proportion to LPRs, roughly 100,000 LPRs may be enrolled in college, representing less than one percent of U.S. college students.	Institutions located in states with the highest numbers of green card holders (CA, NY, FL, TX each have over 100,000) ¹⁹

¹³ Ali, D (2017). In-state tuition for undocumented students: 2017 state-level analysis. *NASPA*. Available at <https://www.naspa.org/rpi/posts/in-state-tuition-for-undocumented-students-2017-state-level-analysis>

¹⁴ Krogstad, J. M. (2017). DACA has shielded nearly 790,000 young unauthorized immigrants from deportation. *Pew Research Center*. Available at <http://www.pewresearch.org/fact-tank/2017/09/01/unauthorized-immigrants-covered-by-daca-face-uncertain-future/>

¹⁵ Krogstad, J. M. (2017). DACA has shielded nearly 790,000 young unauthorized immigrants from deportation. *Pew Research Center*. Available at <http://www.pewresearch.org/fact-tank/2017/09/01/unauthorized-immigrants-covered-by-daca-face-uncertain-future/>

¹⁶ Uggen, C., Larson, R., & Shannon, S. (2016). 6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement. The Sentencing Project. Available at <https://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>

¹⁷ Virginia governor Terry McAuliffe restored voting rights to felons in 2016. See <https://www.nytimes.com/2016/04/23/us/governor-terry-mcauliffe-virginia-voting-rights-convicted-felons.html>

¹⁸ Uggen, C., Larson, R., & Shannon, S. (2016). 6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement. The Sentencing Project. Available at <https://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>

¹⁹ Baugh, R. (2017). U.S. Lawful Permanent Residents: 2016. U.S. Lawful Permanent Residents: 2015, Annual Flow Report, March 2017. Available at https://www.dhs.gov/sites/default/files/publications/Lawful_Permanent_Residents_2016.pdf

<i>(Cont.)</i> Category	Estimated size of group	College student turnout estimates likely to be most affected (i.e., underestimated)
Undocumented students and DACA recipients	About 65,000 undocumented students graduate from high schools in the U.S. each year, and about five to ten percent of these high schoolers go on to higher education (Russell, 2011). Roughly, this amounts to between 12,000 to 24,000 undergraduate students who are undocumented, or less than 1 percent U.S. higher education students.	Hispanic students; students in border regions; students in states with laws providing in-state tuition to undocumented students (WA, OR, CA, UT, CO, NE, KS, TX, NM, MN, IL, NY, MD, NJ, CT, FL)
Students disenfranchised due to felony conviction	Approximately 6 million U.S. citizens are ineligible to vote due to a current or past felony conviction (Uggen, Larson, & Shannon, 2016). Only a small portion is likely enrolled in college, and the exact number is unknown.	Groups with disproportionately high rates of incarceration (e.g., African American men); students in states with a high proportion of citizens ineligible to vote due to felony convictions (e.g., FL, KY, TN)

We are always looking for ways to improve the NSLVE dataset and ways to work with campuses to improve the student data provided to the National Student Clearinghouse. For example, colleges and universities can help solve the problem of ineligible voters by flagging international students at the time they submit enrollment lists to the Clearinghouse. Of course, identifying and flagging students ineligible to vote is not always possible or appropriate, as in the case of undocumented students, for instance. But to the extent that we can identify ineligible voters, we can improve college student voting rate calculations.

We work with colleges and universities directly to help interpret their campus reports or to explore ways to improve student political learning and engagement. If you would like to talk about your data, or if you would like us to visit to conduct a campus climate study, please contact us. We would love to hear from you!

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