



# Notice to Virginia College Students!



***You Have the Right to Register and Vote Where You Attend College.***

**Deadline: October 5, 2009**

The Virginia State Board of Elections recently adopted a new policy that directly affects college students. Under the policy, students who consider their college address to be the center of their domestic, social and civil life will be able to register to vote in the locality where they attend college.

In the past, under Virginia's imprecise law, some registrars refused to allow students to register to vote where they attended college, rejecting their applications on a variety of pretexts. The two most common – refusing to accept dormitories as permanent addresses and claiming that students were not 'domiciled' at school because they intended to leave after graduation – are eliminated by the new policy.

All registrars may not be familiar with the new policy. Below is information that may help should you run into problems when you register to vote.

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### **You may use your dormitory or apartment as your permanent voting address.**

Under the new policy, dormitories are explicitly recognized as legitimate residential addresses for voting purposes, as are apartment complexes, so long as the person's lease or agreement exceeds six months. (SBE Policy 2009-005, 13c)

*Warning: The Voter Registration Application Form asks for your "Residence (Permanent) Home Address." If you intend to register to vote where you attend college, use your college dorm or apartment address, not your parents' address. This address must be a physical address, not a P.O. Box.*

### **You may be domiciled where you attend college, even though you plan to leave after graduation.**

Although one section of the new policy (SBE Policy 2009-005, 2a) defines domicile as the place where you intend to remain "for an unlimited time," another section (SBE Policy 2009-005, 15e) explicitly states that "a college student does not need specific intent to stay in the college jurisdiction beyond graduation" in order to be domiciled there. Your application should not be rejected because you may leave after graduation.

### **Your application for registration will be delayed if your voting and mailing addresses are in different localities.**

The voter registration form will ask for the address where you reside. It will also ask for a mailing address if it is different from your residential address. If the mailing address is different but in the same locality -- such as a P.O. Box or campus mail destination – this should not affect your application. If it is in a different locality, such as where your parents live, the registrar will seek more information. (SBE Policy 2009-005 13a) This could delay your registration and result in your not being able to vote in the November 2009 elections.

### **If you prefer to vote in your hometown, you may still file your application where you attend college.**

Virginia law allows persons to submit their application to register to vote in a jurisdiction other than where they intend to vote. If you attend college but consider another place in Virginia -- such as your hometown -- to be your primary address, you may submit the application to the registrar in your college jurisdiction using your hometown address. *However, keep in mind that you will be required to vote by absentee ballot or travel to your hometown in order to vote.* (Va. Code 24.2-114)

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## **Virginia Voting Facts**

Registration Deadline - October 5, 2009

Election Day - November 3, 2009

Voter Application Forms, Registration Information and More - [www.sbe.virginia.gov](http://www.sbe.virginia.gov)

### **Need Help?**

**Contact the ACLU of Virginia at 804/644-8080 or [acluva@acluva.org](mailto:acluva@acluva.org)**