

EXHIBIT 1**UNIVERSITY OF CINCINNATI POLICY FOR OUTDOOR EXPRESSIVE ACTIVITIES****General Statement**

The University of Cincinnati embraces the rights of expression, affiliation and peaceful assembly. University students may express their views by demonstrating peacefully for ideas they wish to make known, and the university will respect these rights. In order to regulate the use of the facility's grounds, buildings, equipment and facilities such that that law and order are maintained and the university may pursue its educational objectives and programs in an efficient manner, the board of trustees has authorized the president to make this policy governing the use of outdoor university facilities for speaking purposes. This policy does not regulate point of view.

As used in this policy, "speaking purposes" and "speaking activities" refers to "speech" in the constitutional sense. That is, this policy protects and regulates the use of outdoor university facilities for all forms of free expression including political speech, commercial speech, demonstrations, marches, rallies, gathering signatures on petitions, protests, events, concerts, promotional events, and market outreach.

This policy acknowledges broad rights for the university's students engaging in expressive activity on campus. Non-students do not share in these broad rights, but can be invited as guest speakers by registered student organizations. More on non-students is provided on page 59.

The generally accessible outdoor areas of campus are public forums and members of the Campus Community may engage in expressive activity in these areas, subject to the content-neutral and view-point neutral time, place and manner restrictions stated in this policy and the Use of Facilities Manual.

Registration and Scheduling

Students need not pre-register or schedule their speaking activities except as explicitly required by this policy. Nonetheless, advance scheduling is encouraged because students may spontaneously use designated areas for speaking activities at any time that the spaces are unoccupied, but will be asked to move along to make way for scheduled activities. Scheduling a speech activity also places it on the university calendar. Students who believe that a proliferation of scheduled activities is limiting opportunity for spontaneous activities in any particular spaces should raise this concern via Appeals, described on page 59.

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How to Schedule Space in Advance

The designated areas are scheduled by CES. Students can schedule these spaces by visiting CES on the university website, by calling 513-558-1810, or by emailing event.services@uc.edu. See the Event Guide, linked below, for more information, including maps.

As an informational matter, scheduling for other spaces on the campus of the university might be controlled by, for example, the University Registrar, a dean, Campus Recreation, the Department of Athletics, or Conference & Event Services. Students who encounter difficulty scheduling space can seek help from Conference & Event Services or the Vice President for Student Affairs and Services.

When Advance Scheduling Is Required

Crowd Safety Considerations

Students must register at least 72 hours in advance with the university, through CES, any speaking activity with anticipated attendance of 5,000 people, and any speaking activity as to which the following capacity limits will be approached for the designated areas:

1. Bearcat Pavilion (1,000)
2. Bearcat Plaza (2,000)
3. Campus Green (capacity is 20,000; registration required for 5,000 or more)
4. CRC East (1,000)
5. CRC West (500)
6. McMicken Commons (capacity is 10,000; registration required for 5,000 or more)
7. Sigma Sigma Commons (5,000)
8. TUC Plaza (2,000)

University of Cincinnati Police Officers or Security Officers are authorized to order dispersal of any speaking activity in the event of an emergency situation in which, in the judgment of the Police Officer or Security Officer, riot or harm to persons or property is imminent.

Other Safety Considerations

Students must register, through CES, any of the following speaking activities:

1. Any outdoor grilling or fire pits. Grilling without a permit can be cause for citation, in addition to the consequences described below in Section V. Contact Conference & Event Services to register the activity. Conference & Event Services will also assist with grill permitting procedures.
2. Any digging, or any other penetration of the grounds, including tent stakes. Contact Conference & Event Services to register the activity. Conference & Event Services will also assist with tent and dig permitting procedures.

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Other Safety Considerations (Cont.)

3. Any installations or structures that require special handling in order to transport, erect, or secure in place. Contact Facilities Management or Conference & Event Services for assistance and to register the activity. Prior submission of plans for a safety and logistical review will be required.
4. Any outdoor event where alcohol is offered. Contact Conference & Event Services to register the event and for information about obtaining a permit from Ohio Liquor Control. Students should budget significant lead time for third-party permits and reviews for all of the above types of activities.
5. The university is committed to maintaining the personal security of all persons present on university property as well as protecting the property of the university. To that extent, the university may ban certain items during expressive activity. No such prohibitions will be made on the basis of the content of the expressive activity and will be done only for the safety and security of the University Community. No policy can address every possible activity or situation that may occur on university property, and the university reserves the right to address such situation as necessary to protect persons and property.

Costs

In addition to any security costs referred to herein, the university can charge reasonable costs relating to services that are provided by the university for speaking activities, which costs must be paid by the student or Student Organization organizing the event. The university does not impose costs on student speech to quell or chill speech. The content of speech or the viewpoint of any speaker can have no bearing on the way that costs are calculated.

Security Costs

Events with alcohol will be charged for security costs relating to the event. Events with a cover charge or any other exchange of cash, may also be charged for security costs.

Other Costs

As noted in the section regarding non-students, the university does charge reasonable access fees to non-students. Even if invited as a guest speaker by a Student Organization, any speaker engaging in marketing for a business or other concern can be charged reasonable access fees.

For speaking activities that require electrical service from the university, contact CES for help. Students will be directed to fill out a work order. Electrical service costs and any other work orders must be paid by the student or student organization requesting the same in relation to their speaking activity.

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Additional Precautions and Restrictions

Precaution Related to Minors on Campus

The university invites minors to take part in any number of activities and programs occurring on campus daily. The university has an interest in protecting minors from materials that may be harmful to them. As such, students are encouraged to engage in conversation with the Vice President for Student Affairs and Services prior to undertaking speaking activities that involve the presentation of material that, while not obscene, could be harmful to children, so that the university and the students can coordinate in advance the least restrictive available measures for achieving the university's interest in protecting minors.

Other Restrictions

1. On any university-owned or -controlled property, sleeping outdoors between 11 p.m. and 8 a.m. is prohibited. Recreational camping outdoors at any time is prohibited. Camping as a speaking activity is limited to two consecutive nights.
2. Parking lots and garages are not designated or suitable for speaking activities. In particular, windshield flyers are not permitted.
3. Speaking activities must not obstruct or disrupt university teaching, research, or administration of university business.
4. Speaking activities must not impede ingress or egress to the university, any university property, parking lot, building, facility, or event.
5. The university's campus is dense with buildings. Office space, libraries, classrooms, laboratories, and living quarters are all contained within the campus. To minimize loud conduct that disrupts working, studying, and sleeping, the university prohibits the use of amplification equipment except for usage that is no louder than 90 decibels measured at 45 feet and that is:
 - If on McMicken Commons, then only on Tuesdays and Thursdays, from 12:30 p.m. to 2 p.m., during fall and spring semester, but not during exam weeks, between breaks, or during the summer semester; or,
 - If on Sigma Sigma Commons or Campus Green, then only on Mondays and Tuesdays from 11 a.m. to 4 p.m., or Fridays and Saturdays from 11 a.m. to 4 p.m., or Sundays from noon to 6 p.m.
6. Speaking activities that involve food sales or giveaways must be conducted in compliance with City of Cincinnati sanitary requirements and pursuant to a Cincinnati Health Board permit, if required.
7. Commercial speaking activities will be prohibited if such activities are inconsistent with any exclusive commercial rights that the university may have granted or licensed to a commercial entity. No sales may be conducted without a vendor's license from the applicable state or county licensing authority.

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8. The university reserves the right to implement any security measures at its own cost it deems necessary for the safety and security of persons and property, which may include, but are not limited to, adjusting the venue, date and/or time of any event; providing additional law enforcement; imposing crowd controls or security check-points; limiting vehicular traffic, and creating buffer zones around the venue.

Consequences

Persons who violate any provision of this policy, if students, shall be referred to the Student Code of Conduct administrator and, if non-students, can be subjected to a campus ban under applicable policies or to arrest.

Appeal

Any individual or group convinced that arbitrary, unlawful, or unreasonable limitations have been imposed upon any speaking activity under the provision of this policy may appeal those limitations to the vice president for Student Affairs and Services. The decision of the vice president shall be final. This avenue of appeal is not available for appeals of Student Code of Conduct decisions, which have their own avenue of appeal.

Steering Committee on Campus Disruption

A steering committee, chaired by the vice president for Student Affairs and Services, shall manage any periods of prolonged student disruption on campus. In addition to the vice president for Student Affairs and Services, the committee will include the Chief of Police, Director of Communications, and a representative from Campus Services. The committee will meet as often as deemed necessary by the vice president for Student Affairs and Services and shall determine appropriate action based on the input of all representatives.

During periods of prolonged student disruption on campus, the vice president for Student Affairs and Services will facilitate communication with activist leaders, serve as spokesperson for the university, and keep the president of the university fully apprised of the situation.

Non-Students

Visitors are free to traverse the university campuses; however, authorization is required from the university to make speeches or presentations, to erect displays, to engage in leafleting, to collect petition signatures, to engage in any commercial activity, or to conduct similar activities on university owned or controlled property.

To seek authorization from the university, make a request of the university unit in charge of scheduling the particular space of interest. If any difficulty scheduling space is encountered, seek help from Conference & Event Services or the Vice President for Student Affairs and Services. The university reserves the rights, in its sole discretion: (a) to deny such requests, (b) to charge reasonable access fees, and (c) to otherwise require contractual promises on behalf of the outside speaker regarding safety, insurance, and terms the university deems reasonable. In exercising these three reserved rights, the university shall not discriminate against outside speakers on the basis of viewpoint or content.