



Student Free Speech Includes “Boobies” Bracelets

Lawsuit Filed Against Sauk Prairie Middle School Bracelet Ban

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CONTACT: Atty. Tamara Packard, Cullen Weston Pines & Bach LLP, (608) 251-0101
packard@cwpb.com,
Atty. Lori Eshleman, Traver, Haass & Eshleman, LLP, (414) 224-8999,
eshleman@traverlaw.com.
Stacy Harbaugh, Communications Strategist, ACLU of Wisconsin, (608) 469-5540
sharbaugh@aclu-wi.org,

SAUK CITY, WI – Student free speech should include the right to wear breast cancer awareness bracelets, according to a lawsuit filed by the American Civil Liberties Union of Wisconsin Foundation and cooperating attorneys today. The suit was filed on behalf of a middle school student at Sauk Prairie Middle School who along with many classmates wore an “I ♥Boobies! (Keep A Breast)” bracelet to school and prompted a school ban.

“While a public school can put some reasonable limits on expression that poses a credible threat of a disruption of its educational activities or school mission, the mere discomfort some may have with the bracelets’ slang language is not a justification for banning the bracelets and punishing students who wear them,” said Attorney Tamara Packard.

“I ♥ Boobies! (Keep A Breast)” bracelets are a part of a national campaign by the Keep A Breast Foundation. The rubber bracelets are similar to other bracelets that promote awareness of health or social issues and are geared to educate young women about the need for breast cancer research, education and early detection of the disease.

The Sauk Prairie Middle School had deemed the term “boobies” to be inappropriate slang for the school setting. However, the term, especially in the context of the serious issue of breast cancer awareness, is not lewd, vulgar or indecent and should be allowed as a form of free student expression.

“It is the very social stigma of discussing women’s breasts that keeps breast cancer prevention, education and research from moving forward,” said Attorney Lori Eshleman, who is also a breast cancer survivor. “When nearly 40,000 Americans will die of breast cancer this year, we should engage in a national discussion about prevention rather than suppress young women’s speech that includes the term boobies.”

This spring [a federal court issued an injunction stopping a similar bracelet ban](#) and agreed that the “boobies” bracelets were not indecent or disruptive student expression. Pennsylvania’s Easton Area School District has appealed that decision.

The lawsuit against the Sauk Prairie Middle School comes after repeated requests for the school to drop the bracelet ban were ignored and rejected. The ACLU of Wisconsin Foundation and cooperating attorneys hope the school will rescind the ban and allow this form of student expression without further legal action.

The ACLU of Wisconsin Foundation is a non-profit civil liberties and civil rights organization working to protect the rights of Wisconsinites. Cullen Weston Pines & Bach LLP is a well-respected full-service Madison law firm with a passion for the constitutional principles upon which our nation was founded, including free speech, equal protection, and participatory democracy. Attorney Lori Eshleman specializes in health care and disability discrimination law at Traver, Haass & Eshleman.

For more on the work of the American Civil Liberties Union and Foundation of Wisconsin, visit our [webpage](#). You can also get news and opinion on civil liberties in Wisconsin on our [Forward for Liberty](#) blog. Find us on [Facebook](#) and [Twitter](#).

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