

Former Appleton teacher Mary Berglund gets probation for student abuse

Written by Jessie Van Berkel Post-Crescent staff writer

postcrescent.com



Zoom

Mary Berglund talks with defense attorney Gregory A. Petit during her sentencing hearing Wednesday at Calumet County Courthouse in Chilton. Berglund, a former special education teacher at Janet Berry Elementary School in Appleton, was charged in March for incidents involving five students. She was placed on probation for three years after she pleaded no contest to five misdemeanor battery counts and one count of felony felony child abuse. / Dan Powers/The Post Crescent

Mary Berglund talks with defense attorney Gregory A. Petit during her sentencing hearing Wednesday at Calumet County Courthouse in Chilton. Berglund, a former special education teacher at Janet Berry Elementary School in Appleton, was charged in March for incidents involving five students. She was placed on probation for three years after she pleaded no contest to five misdemeanor battery counts and one count of felony felony child abuse.

CHILTON — Mary Berglund's voice broke as she listed the names of special needs students she worked with at Janet Berry Elementary School.

"I miss watching them learn new skills ... I miss teaching, because I wanted to be a teacher since second grade," she said, brushing back tears in the Calumet County courtroom on Wednesday.

The Appleton teacher's 37-year career in education came to an abrupt end in January after she was charged with physical abuse of students in her classroom.

» [Special report: More on the Mary Berglund student abuse case](#)

Berglund, 54, was placed on probation for three years after she pleaded no contest to five misdemeanor battery counts and one count of felony child abuse on Wednesday.

Judge Gary Sharpe deferred judgment on the felony charge, but found her guilty of the misdemeanors.

Berglund faces one year in jail if she violates her probation.

She also has to undergo anger management and any other recommended counseling and participate in 100 hours of community service. She can't have unsupervised contact with any children under age 12 who are not family members, while on probation.

In March, she was charged with nine felony counts of child abuse and a felony strangulation count.

The charges were amended before the sentencing.

The amendments took into consideration that Berglund lost her job and permanently lost her teaching license, said Assistant Atty. Gen. Karie Cattanch, who prosecuted the case.

08/13/13

"This defendant ultimately will be punished far more severely long-term than most people charged with physical abuse of a child," Cattanach said.

Appleton police started investigating Berglund in January after an educational assistant in her classroom reported her "rough" treatment of students to a school official. The assistant took notes documenting incidents in the classroom between September 2009 and Feb. 18, 2010, and in 2011 when the assistant returned to the school after a temporary lapse due to health issues.

In the most recent reported incident on Jan. 6, Berglund laid on top of a student and put her hand around his throat and pushed his head back for several seconds.

In court, Sharpe walked through some inappropriate moves by Berglund, including grabbing a child by the back of the neck, pinching another's cheeks and slapping one's hand.

"This was a severe violation of trust. Families place their most treasured possessions, their children, in the hands of the school district with the expectation they will be treated with kindness ... and nurtured in their environment," Sharpe said.

Berglund failed to use the methods she had been taught when handling tough situations and "resorted to what many of us might do for a child that was non-compliant," Sharpe said.

The judge said he considered the fact that Berglund has no criminal record in his decision to place her on probation, and while her actions were not appropriate for a special education instructor, they did not warrant her going to prison.

Sharpe suggested Berglund offer to talk with other educators in the district about the pressures that led to her disregarding her training and harming children.

If it helps prevent a similar circumstance in the future then "something good would come of this tragedy," Sharpe said.

At the sentencing, Berglund told the court she missed her job, students and the income that helped support her family. She said she's felt shame and humiliation over media coverage of the case.

Defense attorney Gregory Petit said the district didn't give Berglund sufficient resources to handle her classroom.

"It's easy to calm down when you have sufficient time and resources to do so," Petit said.

There's nothing to indicate that Berglund continues to pose a risk to children or the community, Cattanach said, and agreed that probation and stayed jail time is appropriate.

But some parents who had children in Berglund's classroom felt differently. Two parents testified in court.

One father said Berglund should be sentenced to jail time and added that harming a child, "is the most heinous crime you can do."

"It kills me that I trusted the defendant for so long," another parent said. "Now I don't know who to trust ...

Where do I go from here?"

In the wake of the charges against Berglund, the school extended its mandatory reporting policies for abuse to all district employees and added training for school staff to recognize abuse and neglect, according to the district's website.

Berglund is the only school employee convicted of criminal charges in connection to the crimes.

Appleton police referred charges to the Calumet County Court for two other school officials: Janet Berry Elementary School principal Richard Waters and a former assistant superintendent for the district, Yvette Dunlap.

On Tuesday, a Sheboygan judge threw out the misdemeanor charge against Waters — that he intentionally obstructed the police investigation of Berglund — citing a lack of information in the criminal complaint.

Dunlap was not prosecuted for failure to report child abuse, and Calumet County Dist. Atty. Jerilyn Dietz dismissed the referred charge from police.