

# Bright Way Zen Ethics Statement and Grievance Procedures

## **I. Adherence to the Bodhisattva Precepts**

The Executive Director and Invested Members of Bright Way Zen have committed ourselves to living ethical lives. Central to this vow is our effort to provide a safe haven in which all who are exploring the Zen path may explore our true nature.

As Zen Buddhists we promise to keep Bodhisattva Precepts and when we do not do so, particularly within the context of Sangha, we invite others to express concern over our behavior and, if necessary, use the following grievance procedures to preserve the sanctuary of Sangha.

We especially agree to keep the Ten Prohibitory Precepts as applied to Sangha relationships:

- Do Not Kill
- Do Not Steal
- Do Not Misuse Sexual Energy or Dishonor Relationships
- Do Not Speak Dishonestly
- Do Not Abuse Intoxicants
- Do Not Engage in Harmful or Divisive Speech about Others
- Do Not Praise Self or Blame Others
- Do Not Be Stingy
- Do Not Indulge Anger
- Do Not Defame the Three Treasures

## **II. Additional Ethical Standards**

While the Precepts are the foundation of our vows, we recognize that ethics standards and guidelines are needed to provide commentary and processes for addressing difficult situations that may arise in the Sangha or in inter-Sangha relations.

### **Teacher / Student Relationships**

The teacher-student relationship is founded on a deep trust and respect that is the mutual responsibility of both parties to honor.

However, the authority of the teacher carries with it an increased responsibility to avoid situations and actions that could result in harm to the student, the community or the teacher him or herself. We recognize that harm may result if a teacher and student become sexually or inappropriately emotionally involved, or if a teacher violates trust, or uses power or position for personal ends.

The responsibility for maintaining appropriate and clear boundaries always rests with the teacher. Bright Way Zen teachers should respect and protect the personal autonomy of all students, and refrain from any sexual involvement with students. Should a teacher feel unable to uphold this standard, he/she will seek guidance and counsel from his/her teacher, a senior teacher in their lineage and/or a senior teacher from the broader community. It is recommended that the student involved also seek guidance and support, and not maintain secrecy around his/her concerns because of a sense of obligation to the teacher, or because the exchanges that caused concern occurred in private settings where interactions are usually held confidentially.

### **Confidentiality**

Matters discussed in individual meetings with the teacher are kept in confidence by the teacher, except as may be required by law. However, there are often circumstances in which it is beneficial for a teacher to consult a professional for legal or psychological expertise, or a senior Buddhist teacher for advice on how best to respond to a student or situation. It may be necessary to disclose some minimal confidential information in the context of such a consultation. Such consultations are also kept in confidence and are only undertaken in the interest of the Sangha and the student.

Students should never feel restricted by the confidentiality of private teacher-student meetings from discussing with other trusted people any exchanges with the teacher that have made them uncomfortable or raised ethical concerns.

### **Use of Power and Position**

We recognize that individuals in positions of confidence or trust must not misuse status or authority to achieve privileges or other consideration, or to inappropriately influence others.

If we are entrusted with handling funds or assets on behalf of practitioners, we bear responsibility to provide accountable and transparent stewardship.

We recognize that when we hold any position of authority within the Sangha, our behavior both inside the temple and in the rest of our lives must be respectable and legal. In particular we refrain from abusing drugs, alcohol and other intoxicants, and from illegal activity except as civil disobedience according to our conscience.

## **III. Grievance Procedures**

### **Informal Ethical Process**

If anyone has a concern about questionable or unethical behavior at Bright Way Zen Center, or about the actions of the Executive Director at the Zen Center or elsewhere, it may be addressed directly with the person(s) concerned. The Executive Director, a Board Member or other trusted individual may be asked to be present when this concern is brought forward. If the person bringing the concern does not feel safe doing this or does not feel he/she will be fairly heard, she/he may bring their concern to the Executive Director, a Board Member, another trusted individual, another Buddhist teacher (local or

not), an Olive Branch ([www.an-olive-branch.org](http://www.an-olive-branch.org)), or the Soto Zen Buddhist Association (they have a contact list of experienced people who can listen and provide feedback and support; [www.szba.org](http://www.szba.org) or email [szbadirector@gmail.com](mailto:szbadirector@gmail.com)). Many concerns can get fully examined and resolved without a formal hearing process and without undue damage to reputations, so anyone with a concern is encouraged to reach out and discuss it with someone.

### **Formal Ethical Hearing Process**

If matters of importance are not able to be informally resolved, a Hearing Panel may be convened to implement a Formal Process. The Panel will consist of a person selected by me, a person selected by the person bringing the concern, and a third person selected by the first two members of the panel, the Ethical Designee. The Ethical Designee should not be personally involved with Bright Way Zen Sangha or with the persons involved in the potential ethical issue. Each member of the panel must be able to hear the concern openly and objectively regardless of his or her relationship to the people involved.

#### **1. Bringing a Concern**

A Formal Process is initiated by communicating in writing with the Ethical Designee. This “letter of request” must include:

- A clear statement that a formal ethical hearing process is requested.
- The name of the person(s) to whom the matter pertains.
- A description of the alleged matter sufficient enough to allow the Ethical Designee to decide whether the matter is appropriate for a formal hearing process.
- A description of prior attempts to resolve the matter.
- A statement of the resolution sought.

#### **2. Accepting a Concern**

Once the Ethical Designee has received a letter of request, the Ethical Designee, will, within 30 days, convey to the requester the acceptance or non-acceptance of the matter for formal hearing. In the event the matter is accepted for formal hearing, the Ethical Designee will also notify persons named in the Letter of Request, as appropriate.

#### **3. Convening the Hearing Panel**

Once the parties have been notified, the Ethical Designee will convene the meeting. One panelist chairs the hearing and insures that a record of the hearing is maintained.

#### **4. Hearing the Concern**

The chair schedules a private hearing for the persons involved to have a full and fair opportunity to present their understanding of the matter at hearing. The Panel may ask questions and request information.

#### **5. Hearing Panel Decision**

Once the Hearing Panel determines that it is sufficiently informed of the matter(s) heard, it will close the hearing and deliberate. As soon as reasonably practicable, the panel will issue a written decision and distribute it as appropriate.

#### **6. Partial List of Possible Resolutions by a Hearing Panel**

This is a partial list of possible resolutions intended to encourage open-minded and creative decisions. While it is not possible to anticipate every kind of situation which might require resolution, this format hopes to ensure a process that benefits all. The findings could apply to either the teacher or the practitioner.

- Finding of no ethical breach while acknowledging the existence of a problem which needs resolution elsewhere.
- Reversal of an administrative decision or action.
- Direct or mediated private apology.
- Apology to the community.
- Follow-up meetings with the teacher/executive director.
- Recommended education or training or intervention program (e.g. therapy or relevant 12-step program).
- Private reprimand.
- Public censure. The findings and action of the Hearing Panel as well as the reprimand are made public to the Sangha.
- Period of probation, with probationary terms set by the Hearing Panel.
- Suspension or dismissal from position of responsibility in the Sangha.
- Suspension from teaching for a period of time. A suspension should stipulate the conditions by which a person may commence teaching.
- Limiting the decision simply to whether or not an ethical transgression occurred.

#### **IV. Ethical Violations and the Executive Director's Obligations to the SZBA**

As a Zen Priest and teacher within the Zen Buddhist community, Bright Way Zen's Executive Director has a special responsibility to ensure a safe teaching environment for students and Sangha members.

Specifically, as a Member of the SZBA, the Executive Director is bound by these principles:

1. **Self-reporting Clause:** If a Member or Associate Member has been found by the member's sangha/temple to be in violation of its ethical guidelines, s/he must report this to appropriate authorities in accordance with state law and to the Grievance Committee of the SZBA for review. The member may be subject to suspension of Membership. Should the member not report, their sangha/temple should do so. If no sangha/temple member reports, a member not affiliated with the temple may report the violation to the Grievance Committee of the SZBA.
2. **Illegal Activity Clause:** Any Member or Associate Member convicted of a felony will be subject to review of their membership by the Grievance Committee. When all legal obligations have been met as determined by the judicial system, the member may apply for re-instatement.
3. **Diversity Clause:** The Members and Associate Members of the SZBA are committed to actively seeking harmony within such differences as race, class, gender, age, ability, sexual orientation, and other forms of cultural identity.

## V. Teacher to Teacher Relationships

As a member of the SZBA the Executive Director agrees to create and maintain respectful and collegial relationships with his/her fellow Zen teachers.

- We agree to respect each other's authority within our respective teaching venues and obligations.
- When a Member entrusts a student for part of their training to another Member, that Member will be mindful of not being the primary teacher and will refrain from giving advice beyond the scope of the entrustment.
- Should teacher-to-teacher conflict arise, we agree to create and maintain reasonable dialogue with each other.

Under certain circumstances an Associate Member (or an ordained student who happens not to be registered with the SZBA) may seek to change teachers and it is always their right to do so.

- No Member working with an ordained student of another Member will give ordination, head monk trainee or dharma transmission within a two year period of the student having ended an earlier student/teacher relationship without the written permission of the prior teacher.
- Therefore, the SZBA will not accept an application for membership (Associate or Full) within a two year period of the applicant's having ended a prior student/teacher relationship without such written permission from the former teacher.

### **1. Transfer of an ordained student with permission**

- a) When a Member takes on another teacher's ordained student, s/he is required to make a reasonable effort to contact the previous teacher and receive written permission for the transfer, even after a two year period, when practicable. The written permission will clearly state the reasons for the transfer.
- b) If the transferring student is already ordained, the prior ordination teacher will decide if the student needs to disrobe and return robes, bowls and lineage papers.
- c) If the first teacher has not required disrobing, the second teacher can make the decision to require the student to re-ordain or not.
- d) The new teacher will submit to the SZBA
  - (1) a copy of the transfer permission which includes a statement by the prior teacher giving the reason for the transfer,
  - (2) a request for transfer by the student,
  - (3) the decision that has been made about disrobing or not.
- e) Upon receipt in good order of the information in 1(d) above, the SZBA will recognize the ordination and transmission documents for registration when submitted by the new teacher. If disrobing was not required, the original ordination date will remain in effect.

## 2. Transfer of an ordained student without permission

The SZBA would hope that all parties would strive to come to an understanding about the transfer of an ordained student between teachers. If there is no mutual agreement, the SZBA will cancel the associate membership. Ordination with another teacher will follow this procedure:

- a) Under those circumstances where the student and the prior ordination teacher are unable or unwilling to come to an agreement over transfer of the student to another teacher, the student will disrobe and wait two years before re-ordination.
- b) Robes, bowls and lineage papers will be offered to the original ordaining teacher.
- c) The new teacher will submit a statement to the SZBA:
  - (1) the reasons (if known) for the transfer,
  - (2) a request for transfer by the student,
  - (3) the last date of training with the previous teacher,
  - (4) the proposed starting date of the student training.
- d) Having received the information in 2(c) above, the SZBA will recognize the ordination or transmission documents for registration when submitted by the new teacher.



3/22/2013

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Signed

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Date