

# Sangha Connection and Authority

## *Guidelines for Mutual Respect and Kindness*

### ***Purpose of This Document***

In a sangha, we are challenged to achieve a balance between the one (ourselves) and the many (all other members of the sangha). On the one hand we strive to be authentic, true to ourselves, and to honor our own path. On the other hand, we strive to be kind, compassionate, respectful, and considerate of others. Ideally these two sides of practice become naturally aligned as we integrate the dharma into our lives. This document describes ethical guidelines and expectations that accompany the process of that alignment in our sangha.

### ***Core Values***

This document presupposes the following ethical values:

Compassion

Respect

Integrity

Trust

Kindness

Dharma Rain Zen Center is committed to providing an environment that is free from physical violence, verbal abuse, sexual harassment, dishonesty, and substance abuse. These behaviors are incompatible with the core values and goals of this sangha. Procedures for addressing such conduct are described later in this document.

### ***Section 1: Ethical Guidelines***

Becoming a Buddhist begins with taking refuge in the Three Treasures: Buddha, Dharma, and Sangha. Taking refuge deeply is an act of respect and veneration. Ultimately this refuge is in one's own deepest nature, the truth itself, and all beings. In practice, taking refuge includes cultivating an attitude of respect and veneration for the historical Buddha, respect and veneration for the Dharma in the form of the Sutras and other teachings, and respect and veneration for the Sangha in the form of the lineage down to the present time. In the present, at Dharma Rain Zen Center, this finds expression in an attitude of respect and veneration for the temple itself. This attitude, when cultivated deeply, extends to the various teachers, to the practice traditions, and to the other members of the temple. This respect and veneration is deeply precious, even sacred. Because of this, holding authority within the temple becomes a sacred trust to the degree that authority is held.

At Dharma Rain Zen Center there is a graduated level of expectation and ethical accountability that is directly related to the degree of formal commitment to practice and to this Center, and to the amount of authority held. As the level of commitment and

authority increases, members would, of course, also be held to the levels of expectation for the previous levels, as well as for the one they occupy at any given point in time. This graduated expectation can be expressed as starting with a very basic respect for others, for the temple, and for the tradition. This is expected of all who come through the doors. In all situations, kindness and compassion are needed. As authority increases, the importance of kindness and compassion also increases, as differences in power increase the potential for doing harm.

## **Levels of Involvement in the Sangha**

**1. Casual participation.** Since the temple is open to all for most events, expectations are very simple. We expect those attending to be respectful of others, to be courteous, to respect the property of others, and to participate in way that respects the temple and the practice itself while they are attending. No other expectation or standards apply.

**2. Membership.** Becoming a member of the temple often, but not always, includes developing on-going relationships with other members as friends or simply as fellow sangha members. It can include taking on temple jobs and developing relationships with teachers. To the degree that this occurs, taking refuge implies an attitude of basic respect for the temple and other members as outlined above that continues when one is not actually at the temple or temple functions. Members are expected to begin using the precepts as a point of reference in their lives. Specifically, the precepts would apply in all dealings with other members, and with the temple itself. It also suggests methods of conflict resolution between members, or between members and teachers of various degrees of formality.

**3. Full Members.** When members take the precepts formally (Jukai), support the temple, and participate regularly, they are called “Full Members” and become part of the fabric of the temple. “Taking” the precepts means to hold them, to reflect on them and measure one’s own life and actions by them, to let this have an effect, and to let their meaning unfold. At some point an aspiration to embody the precepts can start to develop. Because they are more established in the sangha, full members need to be considerate of newer members. A Full Member, for example, should be careful not to make overtures toward a romantic relationship with a new member until that person has established herself or himself within the sangha. Full Members are encouraged to treat newer members with both respect and kindness and try to meet them in helpful ways.

**4. Board Members.** To be eligible for election to the Board a person must have been a pledging member for at least one year, participate regularly in sangha activities, and have taken lay ordination. Board members have a responsibility to act in the best long-term interests of the sangha, to act as responsible stewards of the sangha’s resources, and to be responsive to members’ questions and concerns.

**5. Lay Disciples.** Because they are formally connected with the center and the lineage, we expect Lay Disciples to conduct their private lives in a way that would reflect well on

the temple. We expect them to be honest and ethical in their personal and business dealings, to be faithful in relationships, and to be generally law abiding good citizens of the community. These matters, when they do not involve duties within the temple, are not subject to ethical review, but are training issues between the disciple and his or her teacher. The ethical guidelines for teachers, however, apply to Lay Disciples when they act as Practice Advisors, when they are leading retreats, classes, or workshops, or whenever someone comes to them for advice or guidance because of their position as a Lay Disciple. Also, because of their increased visibility within the Sangha, they should be mindful of the perception of authority new members will have regarding them, and be careful of inadvertently taking undue advantage. Kindness and consideration for newer members becomes more important because of the perceived authority held by Lay Disciples.

**6. Lay Teachers.** The level of expectation and standards (accountability) are basically the same as for Lay Disciples. The increased perception of authority, however, is even greater and should be kept in mind. Accountability will go up whenever a formal teaching relationship with another member develops, and Lay Teachers then become bound by the same restrictions as a priest (see below).

**7. Monk Disciples.** The level of expectation and standards (accountability) are basically the same as for Lay Disciples, except that their public conduct may become the subject of a formal ethical review process. Usually, however, it should remain within the purview of the master/disciple relationship. Taking on a formal teaching relationship (as a teacher) with another student is not permitted for monk disciples.

**8. Transmitted Priests as staff members.** The level of expectation and standards (accountability) are basically the same as for Monk Disciples, except that if the priest's teacher is not present (deceased, no longer active, absent for an extended time, etc.), their public conduct is subject to the formal ethical review process. Because they carry authority within the lineage, they need to be mindful of this with respect to how their actions affect others. When they take formal students, they are subject to the same ethical guidelines as abbots with regard to those relationships.

**9. Abbots.** To the degree that it reflects on the center, anything abbots do in public, as well as anything they do in private that affects their ability to perform their duties, may be subject to the formal ethical review process, or some sort of intervention. Because abbots have some degree of authority over all aspects of temple life, their conduct with respect to all those who come to the center should be undertaken with due care. Formal students (lay and ordained disciples) are under the direction of an abbot, so the highest degree of accountability attaches to this relationship. Any undue advantage taken of formal students is a serious matter. Unconscious, heedless or careless actions that are detrimental to the welfare of formal students is a matter of reproof, and indicates a need for further training or education. Formal students should remember, however, that they always have autonomy over their personal decisions (with regard to their health or finances, for example), within the guidelines of their commitment. For Lay Disciples, this means they always have the choice to back out of a training position if the

requirements are more than they feel ready to meet. For Monk Disciples, training positions may be quite uncomfortable at times, and adjustments to them are a matter of discernment between the disciple and the teacher. Despite this high level of visibility and accountability, abbots do have the right to privacy when alone.

**10. Residents.** Residents are subject to any other expectations that apply to them (such as those for Lay Disciples, etc.), but are also subject to their resident agreement. In addition, we expect residents to be respectful of all who come into the temple, and to give them the space to feel comfortable. This means, for example, that flirting with someone who has come in for a workshop is inappropriate.

**11. Visiting Teachers** – Visiting teachers, when they stay for a night or two while conducting other business in the area are treated as guests. When they have regular interaction with the DRZC Sangha for anything more than a few days, they should be made aware of these guidelines. When a visiting teacher is in residence, or will be in regular contact with the DRZC Sangha even though not in residence, a residence review should be done, and an agreement signed that makes the expectations and boundaries clear. Visiting teachers are also made aware of this ethics document and the expectations it describes.

## **Degrees of formal teaching relationships**

**1. Peer relationships** – relationships between sangha members in general. Quite often, this is the nature of an interaction, even when a difference of rank or status exists. Most of the time, interactions between sangha members at Dharma Rain Zen Center are fairly informal. To a teacher, Lay Disciple, or a long term full member, these informal interactions may have the character of peer interactions, but not always. When they involve a newer member, however, that new member will often be very aware of the authority held by a teacher, Lay Disciple, or full member. Because of this, members who hold authority within the community should remember to emphasize kindness and be very careful in their interactions with newer members or any member with less authority.

**2. Mentor** – Position of a Lay Disciple as a Practice Advisor to a practice advisee. Also, to a lesser degree, that of any Full Member to a new member.

**3. Teacher/student informally** – The relationship of a priest or lay teacher to members when they come regularly, developed more or less depending on the wishes and intent of the member, is one of informal teacher/student. Coming to sanzen/interview or attending a retreat or sesshin led by a teacher are examples of informal teacher/student relationship. This relationship can be agreed to in an ongoing way, so it becomes, in a way, “semiformal.” The teaching authority does not extend beyond the events in which the teaching relationship occurs. For example, the leader of a retreat holds a degree of spiritual authority during the retreat. Extending that authority after the retreat is a misuse of it. The teacher is responsible for making this clear.

**4. Teacher/student formally** – Teacher to Lay Disciple. Lay Disciples maintain complete autonomy over their personal lives. The authority of the teacher is in guiding their Zen practice and meditation, and pointing out to what degree their actions and practice conform with the traditions of Soto Zen and the expectations of Lay Disciples within this Sangha. As with the master/disciple relationship, the responsibility of the teacher is to bring the student into a mature and autonomous relationship with the practice and the Dharma.

**5. Master/disciple** – Transmitted priest to monk ordained. Rules such as the Taitaikoho and the Eihei-shingi guide the monk's deference to the teacher. They maintain autonomy in all personal decisions such as their health care choices and their personal finances, however. They serve the temple in their daily lives, and they are subject to rules of discipline. Because of this, the highest level of ethical restraint is expected of the teacher. This does not mean, however, that the teacher has to treat the student with kid gloves. Just the opposite, because the teacher can push the student quite hard, the teacher must never take undue advantage of that power. The responsibility of the master in this relationship is to bring the disciple into a mature and autonomous understanding of the practice and the Dharma.

## ***Section 2: Grievance and Reconciliation Process<sup>1</sup>***

### **Procedures for Grievance and Reconciliation**

What follows are guidelines and procedures for resolving conflicts and transgressions within the Dharma Rain Zen Center sangha. It is our hope that such resolutions take the form of reconciliation - with oneself and with others. Whenever possible, disputes and disagreements should be resolved informally and directly between the people involved. There are many ways, including normal sangha channels, that Zen Center members may attempt informal resolution and reconciliation. In this document we offer some suggestions and basic guidelines.

We recognize that for certain grievances, complaints and conflicts, informal resolution may not be possible. For such situations, we offer a formal grievance procedure. These formal procedures can be used to address perceived misconduct of sangha members.

### **Step 1: Informal Procedures for Resolving Conflicts and Disagreements**

Although no fixed procedures for informal conflict resolution exist, the suggestions and procedures that follow are intended to give all persons

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<sup>1</sup> This Grievance and Reconciliation Process is modeled after the one in place at the San Francisco Zen Center. Portions of this section are taken directly from SFZC policy, which is copyrighted. Permission to use this material is pending.

involved in a dispute a chance to be fully heard in an environment of respect and kindness that flows from knowing that there is no fundamental difference between us.

### **1. Stating the Actual**

A crucial aspect of conflict resolution, just as in Buddhist practice itself, is discriminating between our interpretations and opinions of an event and how the event was or is personally experienced. In part, this means not making general statements but rather sticking to the particulars of actual situations and the emotions experienced. It is extremely difficult to have mutual understanding when discussion remains at the level of interpretation and generalization.

### **2. Being Heard**

It is important that everyone has an opportunity to be fully heard. This means that everyone has a chance to recount how they remember the history of a conflict, to state their feelings regarding the conflict, and to explain the goals they have for its resolution. Such statements should be neither defensive nor critical since both approaches tend to preclude deeper mutual understanding. Much conflict arises and is perpetuated through a lack of mutual understanding; taking calm, deliberate, and adequate time to listen to each other is often all that is needed for reconciliation to begin.

### **3. Restating What Was Heard**

To insure that everyone understands one another, it is useful for each party to briefly restate what the other has said, highlighting the main points. The other party then says whether the restatement is complete and accurate, and makes corrections.

### **4. Confession**

Resolution and reconciliation are greatly facilitated if everyone involved reflects on how they may have contributed to a conflict and then explains this to the other party. Even when one person is primarily responsible, self-reflection, confession, and apology on everyone's part can provide a safer, more trusting, and understanding environment for everyone to be truthful.

### **5. Facilitation**

It is often useful to invite one or more neutral witnesses or mediators to take part in a session of conflict resolution. Such a person may simply be a silent witness providing a sense of calm and presence or may be an active mediator who helps ensure that each person is given uninterrupted opportunities to speak. This person might also point out the difference between statements of opinion and interpretation and direct statements of how an event or feeling was or is actually experienced. Invited facilitators can be anyone whom both parties respect; e.g., lay disciples, monk or priest disciples, the abbot or co-abbot, or people outside of Dharma Rain Zen Center who are trained in mediation.

## **6. Seeking Advice**

In addition to or instead of inviting a facilitator to participate, it can be useful to seek advice for working informally with a conflict. Such advice can be received from friends, practice leaders, or other members of the sangha.

## **Step 2: Formal Procedures for Resolving Conflicts and Disagreements**

If the informal processes described above do not result in resolution of a conflict, the parties involved may then pursue a more formal process. The structure and sequence of this grievance process are described below.

### **The Ethics Council**

The Ethics Council shall be initially formed by a Board solicitation for nominations from the sangha. To be eligible for nomination, a person must have been a pledging member for at least one year, participate regularly in sangha activities, and have taken lay ordination. Duties are to hear formal grievances, to investigate them, and to render decisions about them. Once the deadline for nominations has passed, the Board will review all names submitted and choose five people to serve as members of the Ethics Council. The Board will choose three core members and two alternates. The alternates agree to serve in the event that a grievance is filed and a core member is not available to serve. One member will be chosen as the Chair of the Ethics Council and will facilitate the grievance and hearing process. The Chair will deliver an annual report to the Board on the grievance process. The Board will review Ethics Council membership annually and will solicit additional Ethics Council nominations from the sangha on an as-needed basis. The Ethics Council is a standing committee and at this point no term limits are defined.

### **The Grievance Procedure**

A formal grievance procedure is available when informal attempts at reconciliation have been exhausted. These procedures are especially designed to resolve situations in which someone believes that a Zen Center resident, employee, or practitioner has engaged in significant misconduct or unethical behavior that has not been, or cannot be, adequately addressed by the local directors or practice leaders. These grievance procedures are available to both Zen Center members and non-members.

While reconciliation is an important goal within the Zen Center sangha, the prime purpose of the formal grievance procedure is to come to a decision regarding the specific issue or complaint submitted. Most situations requiring a formal grievance procedure contain elements of interpersonal conflict as well. A formal grievance procedure may not be effective for

resolving these painful interpersonal issues. If such a resolution is desired, informal and mediated procedures are recommended.

### **1. Filing a Complaint**

to file a complaint, an individual must communicate, in writing, to the chair of the Ethics Council. The Council must acknowledge, in writing, receipt of a written complaint within two weeks. This complaint must include:

- A. A clear statement that a formal complaint or grievance is being filed
- B. The name of the person(s) whose behavior the complaint concerns
- C. A description of the alleged behavior, sufficient enough to allow a decision by the Council as to whether the complaint is appropriate for initiating a formal grievance procedure
- D. A history of the attempts, if any, to resolve the complaint through informal or normal Zen Center channels
- E. A general statement about the resolution desired

Until a complaint is accepted by the Council, all information related to the complaint will remain confidential within the Council except for any disclosure mandated by law.

### **2. Accepting a Complaint**

Having received a complaint, a quorum of at least two Ethics Council members must, within thirty days, review the complaint and decide whether a formal grievance procedure is warranted or whether other informal or administrative channels should be attempted first. When informal or normal administrative channels are deemed exhausted or inappropriate, a formal complaint is accepted. If needed, the Council may request further information from the person making the complaint.

Once the Council has accepted a complaint, the Chair must convey its acceptance, within one week, to both the person filing the complaint and the person(s) named in the complaint. As part of this notification, the Council will state its understanding of the issue under inquiry. The person named in the complaint will also receive a copy of the complaint and a copy this Sangha Connection and Authority Document.

### **3. Investigation of a Complaint**

The Ethics Council Chair will schedule and oversee a closed hearing in which all parties are given a chance to present their understanding of the issue under investigation. The hearings shall be conducted in the spirit of the informal processes for resolving disagreements described earlier. Each member of the Ethics Council is responsible for disclosing any potential conflicts of interest in hearing the grievance. Examples of conflicts of interest include people in intimate relationships with either party, anyone

who has a bias about the case, or anyone who would potentially benefit or lose from a decision. Conflicts of interests should be disclosed a reasonable time before the hearing so that an alternate Ethics Council member can be contacted to serve.

During the hearing, the Ethics Council may question all parties and request additional information. If appropriate, further hearings may be scheduled. All parties of a complaint may have a support person of their choice present at the hearing. If desired, the support person may make statements during the investigation.

The Ethics Council may ask other people to provide information pertinent to the complaint. Such information may be provided in person at a hearing or in writing. All parties will have a full and fair opportunity to respond to all information - oral, written or otherwise - gathered by the council.

The Chair or another member of the Ethics Council will, as recording secretary, take minutes of the hearing/s. This documentation will be confidential for the duration of the proceedings as outlined below.

All members of the Ethics Council must be without actual or apparent bias or conflict of interest.

## **5. Council Findings**

When Ethics Council members are satisfied that they have adequate information, they will review and discuss the case in executive session. However, at its discretion, the Council may seek non-binding advice from any pertinent persons. The Council's decision should be reached by the form of consensus that allows for one person to stand aside, i.e., not agree with the decision but be willing to acquiesce. The Chair will explain and facilitate the consensus decision-making process for this Council.

Once a decision has been reached, at least two of the three members of the Ethics Council shall reconvene within two weeks with the parties involved. At this time the committee shall hand out copies of its written findings and read them aloud.

The Council is authorized to resolve a grievance in any manner that it regards appropriate, as long as it does not exceed the lawful authority of Zen Center as an institution. If the Ethics Council is unable to reach a decision, it may appeal to the Board for guidance and recommendations on achieving resolution.

The Appendix of this document is available to the Ethics Council as a partial list of the kinds of decisions it may make.

It is the responsibility of the Chair of the Ethics Council to insure that Council decisions are carried out.

In deciding a case, the Ethics Council must decide what persons, if any, besides the parties involved shall be informed about the case or aspects of the case. Unless there is a request for continued confidentiality, all records, information, and decisions concerning the case will become public at the conclusion of the hearings. If there is a request for confidentiality, the Ethics Council will decide if and for how long the records will be held in confidence.

## **6. Appeals**

Either party has the right to appeal an Ethics Council action within thirty days of receipt of the notification of the Ethics Council's decision.

Appeals are made to the Chair of the Board of Directors. The Board shall review the findings and the appeal arguments to decide whether or not the decision of the Ethics Council should be upheld. Normally appeals will only be granted if there is evidence of bias and/or procedural irregularities, or if new information not previously available comes to light. The decision of the Board is considered final.

## **7. Reconciliation**

If appropriate, once an Ethics Council has reached a decision, the Chair will separately make non-binding recommendations to both parties on steps they may take toward reconciliation among themselves and if necessary with the Zen Center sangha. While Zen Center places high value on reconciliation, we realize that in extreme situations it may take considerable time before such a process can begin.

## **APPENDIX:**

### **A Partial List of Possible Decisions by the Ethics Council**

This partial list of possible resolutions is intended to encourage open-minded and creative decisions by the Ethics Council.

1. A finding of no ethical breach while acknowledging the existence of a problem which needs resolution elsewhere.
2. Private or mediated apology.
3. Reparation, to the extent possible, to the person who made the complaint and or to the community.
4. Follow-up meetings with the person's teacher or the abbot.
5. Recommendation of psychological therapy or participation in a recovery process (i.e., a drug or alcohol recovery program, or a 12-Step program) specified by the Ethics Council.
6. A finding that the grievance was unfounded.

7. Private reprimand.
8. Public censure. The findings and action of the Ethics Council, as well as the reprimand, are made public to the community.
9. Apology to the Zen Center community or membership.
10. Period of probation, with probationary terms set by the Ethics Council.
11. Suspension from certain positions of responsibilities within the Zen Center community.
12. Suspension from Zen Center for a stipulated period of time. Such a suspension should stipulate both the conditions by which a person may re-enter the community and the person(s) within Zen Center who will be responsible for deciding whether those conditions have been fulfilled.
13. Limiting the decision simply to whether or not an ethical transgression occurred and then forwarding this decision to the appropriate administrative or practice leadership for further action.