

Ethics Code for the Boundless Way Zen Sangha

I vow to cease from evil.

I vow to do good.

I vow to save the many beings.

(Much gratitude and endless bows to all who have worked so hard to make the Zen Dharma a viable and living way to alleviate suffering and open a path to joy in this life. This document is based upon the work of many communities within the Western Zen Mahasangha, and in particular it is patterned upon the work of the Berkeley Zen Center.)

We who are given the responsibilities of leadership and teaching within our sangha acknowledge that we are first of all continuing students of the Great Way. We also acknowledge there are power differentials in our relationships and how with leadership our words and actions carry even greater weight than might be the case in other circumstances. As such we agree to bind ourselves consciously to a code of conduct that nurtures our community as well as our own continuing practice.

We already have committed to walk the way of the Bodhisattva Vows. From these precepts we find an outline for our lives. As leaders and teachers our first continuing commitment is to not knowing. Our second is to walk this path with humility. Our third is to accept correction as generously as it may be offered. Through these vows and the guidelines listed below we seek to cultivate a community of openness, generosity and wisdom.

All members and active participants are assumed to be willing to abide by these codes in general, and may avail themselves of the formal complaint procedure, as may non-members who are actively involved. There is also a limited provision outlined below for people not in the community to use the process.

Everyone who is invited to leadership as members of the Leadership Council, practice leaders, priests, Dharma teachers, senior Dharma teachers and transmitted teachers within the Boundless Way agrees to conduct himself or herself in accordance with this Ethics Code.

Raising Concerns

We are human and so contain within our hearts all the possibilities of being human. Something may happen within our sangha that causes concern. Ideally we can approach one another and speak of any such concern. We strongly encourage this as a first step. Sometimes this doesn't feel comfortable or right, or perhaps, even safe. If so, a process is in place to smooth the way toward reconciliation.

The Ethics and Reconciliation Committee

In the course of daily sangha interactions, disagreements, conflicts, misunderstandings and unethical behavior can occur. Often the ethical lines will not be obvious. The Ethics and Reconciliation Committee (EAR Committee) is formed as a standing committee to assist in that process of clarification as well as to pursue more serious allegations. Any member of the sangha is encouraged to bring concerns to any member of the EAR Committee for consultation, support and advice if direct discussion with the person involved has been unsuccessful at reaching resolution.

The number and membership of the EAR Committee is determined by the Leadership Council and Guiding Teachers and members are appointed by consensus. Tenure is for one year and may be renewed for up to three years. After an absence from the EAR Committee for a year, a person may be reappointed. The names of the EAR Committee members are posted on the Boundless Way Zen website.

Should an ethical concern arise, the sooner one can consult with a member of the EAR Committee the better if direct discussion with the person involved has been unsuccessful at reaching resolution.

Often a meeting with a single member of the EAR Committee will prove sufficient. This can be an opportunity to air a concern and in that conversation often matters are made clear. Possibly there is a need for additional consultation. This can be mapped out with the EAR Committee member.

However, matters involving significant inappropriate behavior, inappropriate sexual conduct, abusive behavior, harassment, incompetence or the use of position for personal gain or exploitation should quickly be brought to the whole EAR Committee. Anyone aware of the following matters should bring them to the EAR Committee immediately: misappropriation of funds, gross and harmful incompetence in leadership or teaching or anything that a therapist or minister would be mandated by law to report, such as suspected abuse or neglect of a child, an elder, or a disabled person. Transmitted teachers, priests and senior Dharma teachers shall be considered mandated reporters for purposes of compliance with state law.

While the EAR Committee offers a listening ear and counsel, it may not impose sanctions. The EAR Committee will facilitate a dialogue between parties. If a dialogue between the parties does not lead to reconciliation then the recommendations of the EAR Committee should be forwarded, in the case of all but the transmitted teachers, to the Teachers Council. In the case of transmitted teachers these recommendations are conveyed to the Leadership Council.

Confidentiality

We understand confidentiality to be a reasonable assumption of privacy. It is not a strict code of secrecy.

A central part of our practice is spiritual direction. There is a right to a reasonable sense of confidentiality regarding what is said in dokusan or similar interviews. However, it is the

practice of this community that the senior Dharma teachers and transmitted teachers consult with each other and hold confidentiality among themselves rather than alone. Personal details disclosed during interviews not relevant to practice in the judgment of the teachers are not shared.

When complaints are made or concerns are expressed, again, one person should not be expected to hold these things in secret. The matter may and probably will be brought to the EAR Committee. As is appropriate and as described here these complaints or concerns may be forwarded to the Teachers Council or the Leadership Council.

Relationships and Intimacy

Our practice is one of intimacy. It can be warmhearted and close. And relationships between teachers and students, as with therapeutic relationships, usually involve powerful psychic conditions including projection, transference and counter-transference, among others. In addition there are the complexities found within the power differential that exists between a teacher and a student. With these various circumstances it is tempting to cross a line from spiritual intimacy to sexual intimacy. And whatever the merits of sexual intimacy, this type of relationship tends to confuse the other aspects of intimate relationship necessary for a successful teacher and student relationship.

Again, sexuality is a natural part of life and as a non-celibate sangha, sexual intimacy is going to be a cherished part of our shared lives. However, those who teach have additional responsibilities and our covenant includes several commitments regarding sexual behavior.

No priest, senior Dharma teacher or transmitted teacher who is married or in a committed relationship should engage in sexual activities with any person outside of their stated commitment.

Any priest, senior Dharma teacher or transmitted teacher who finds a romantic relationship beginning with a member of the sangha should inform the EAR Committee of this relationship and seek guidance as to the most healthful way to proceed.

If the people involved are in a teacher-student relationship, a choice must be made between either pursuing that personal relationship or continuing the teacher-student relationship, but not both. The EAR Committee should help in this decision-making process. A resolution should be achieved with as little delay and as much openness and transparency as humanly possible.

Professional Conflicts

Many of our members are psychotherapists, coaches, physicians, attorneys, contractors and others who may offer services to other members of our sangha. It is important to be mindful of the complexities that can arise in dual relationships, and while we do not discourage these relationships, we ask all to be mindful of potential abuses. Teachers, psychotherapists, ministers and other professionals are expected to abide by the ethical codes of their professions. Teachers

and others in authority in Boundless Way Zen have a responsibility to anticipate and avoid potential conflicts of interest. All matters of a financial nature among members of the sangha should be engaged in with open hearts and clear heads. If there are questions or concerns it is appropriate to bring these concerns to a member of the EAR Committee.

Recourse

Maintaining the well being of the sangha is the mutual responsibility of all its members. If you feel the guidelines are not being observed, or simply wish to share your discomfort, please bring those concerns to a member of the EAR Committee. Your questions will be taken seriously and examined according to a principled and confidential process. We hope that diligent inquiry, honesty, compassion and openness will strengthen our sangha and support this important practice into the future.

Again, whenever possible, a direct conversation between the parties is best. When it is not possible, then one should bring concerns to a member of the EAR Committee. If the matter can be brought to a satisfactory conclusion through an informal process, this would be the end of the matter. If the matter cannot be resolved informally, or with more serious concerns, a process has been developed outlined below as the “Formal Procedure.”

There are many possible consequences to a complaint. Healing and reconciliation is the goal. But all parties cannot always be satisfied. Serious violations, particularly of personal intimacy between leaders or teachers and other members of the sangha, may necessitate interventions possibly including a recommendation to the Teacher’s Council, or in the case of transmitted teachers to the Leadership Council, which may include various sanctions including dismissal from leadership or teaching within the Boundless Way Zen sangha.

Formal Procedure

Our formal grievance procedure is available when informal attempts at reconciliation have not worked or are inappropriate.

Some areas that are appropriate for this formal procedure include situations in which a member wishes to appeal an administrative decision regarding her or himself personally or situations where a member feels another member, leader or any teacher has engaged in significant misconduct or unethical behavior.

A non-member who is an active participant in BoWZ activities may also use this process. In general this process is for the community. The EAR Committee can determine whether a complaint by a non-member who is not involved directly in the life of the sangha, should be addressed.

The EAR Committee has responsibility for determining whether allegations of misconduct have occurred, and any recommended consequences, excluding expulsion from the sangha or sanctions against the senior teachers. In those cases their recommendation is forwarded in the

case of transmitted teachers to the Leadership Council, and in other cases to the Teachers Council.

Any complaint to the EAR Committee under this formal grievance procedure must be made in writing. It may be given to any member of the EAR Committee. Anyone who registers a complaint with the EAR Committee should be given a copy of the Ethics Code along with a written acknowledgment of receipt of the complaint.

The complaint should describe the alleged behavior, a history of any attempts to resolve the complaint informally, and a general statement about the desired resolution. The complaint and related documents will be retained by the EAR Committee for such period as it considers appropriate.

The EAR Committee should respond to the person who has registered the complaint in writing within a month after receipt of the complaint with a statement of its decision and the reason(s) for the decision.

Among the possible responses are a finding of no breach, suggesting a mediated resolution, a limited finding acknowledging some breach and forwarding this to an appropriate second party, a reversal of an administrative decision or action, a private and mediated apology, a private reprimand, follow-up meetings with affected parties, a public apology, public censure, reparation when possible, a recommendation for psychological counseling or similar program, a period of probation, suspension or dismissal with the exceptions noted above.

Anyone may appeal the EAR Committee's decision to the Leadership Council. However, the Leadership Council is expected to work from an assumption that the EAR Committee has acted in good faith and with due diligence, and should not lightly overturn the findings of the EAR Committee.

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