

Zen Community Of Oregon
Ethical Principles
And
Conflict Management

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INTRODUCTION

The Zen Community of Oregon (ZCO) is a Buddhist Sangha: a community of Ordained Buddhist Teachers, Lay Buddhist Teachers, monastic residents at Great Vow Zen Monastery, lay practitioners at Heart of Wisdom Zen Temple and other locations who mutually support each other's practice on the path to awakening.

The Three Treasures in Buddhism are the Buddha, the Dharma and the Sangha. Taking refuge in the Sangha is an integral part of our practice as the Buddha proclaimed to his attendant, Ananda, in the *Upaddha Sūtra*:

The Venerable Ananda said to the Blessed One: "This is half of the holy life, Lord: admirable friendship, admirable companionship, admirable camaraderie."

"Don't say that, Ananda. Don't say that. Admirable friendship, admirable companionship, admirable camaraderie is actually the whole of the holy life. When a monk has admirable friends, companions, and comrades, he can be expected to develop and pursue the noble eightfold path."

Thich Nhat Hanh writes that the essence of Sangha is "... awareness, understanding, acceptance, harmony and love. A true Sangha should be like a family in which there is a spirit of brotherhood and sisterhood." In other words, a Sangha should be a community in which it is safe to be open and vulnerable, a refuge that supports our path to liberation from suffering.

To support the practice of awakening, the Zen Community of Oregon Sangha strives to create and maintain a supportive, harmonious and safe environment where everyone can practice freely and realize their Buddha nature. The Zen Community of Oregon's inclusivity statement reflects the commitment to this goal:

The Zen Community of Oregon welcomes everyone. We study the Dharma together and practice for the benefit of all beings and this living earth. We recognize the suffering caused by biases, prejudices, systems of power, privilege, and oppression based on race, sex, class, age, ethnicity, religion, national origin, ability, sexual orientation, and gender identity or expression. We aspire to do no harm and to dismantle barriers that cause separation and suffering, recognizing that our liberation is interconnected with the liberation of all.

Many Zen and other Buddhist communities have experienced upheavals over the years as a result of not having clear guidelines or expectations for members and

Teachers. Such upheavals resulted in great harm and, sometimes, dissolution of the community. We recognize that practice can be difficult, differences can trigger strong reactions, the intimacy of shared spiritual exploration can elicit powerful emotions and attractions, and disagreement and conflict can arise. Power has the tendency to corrupt, and individuals and institutions often move to protect and defend themselves in times of crisis. Therefore, it is important to have guidelines for “right actions” and healthful, wholesome behaviors within the Sangha so everyone is aware of expectations and procedures before things go wrong.

The Sixteen Bodhisattva Precepts - The Three Treasures, the Three Pure Precepts and the Ten Grave Precepts - are the basis for ethical living as Zen practitioners. The precepts are not fixed rules of conduct, but require the practice of individual discernment given the current circumstances and humble acceptance of the basic imperfection of human life. We commit to the precepts by holding them in our hearts. We reflect on how all aspects of our lives are guided by them and how their meaning evolves with our practice over time. In this way we all take responsibility for creating a nurturing and respectful environment for practice of the Buddha Way.

The Three Treasures

We take refuge in the Buddha by acknowledging the historical Shakyamuni Buddha as an authentic human being who realized awakening and passed down his wisdom to us today. Taking refuge in the truth of Buddha’s awakening inspires us to commit ourselves to the path and to trust our own potential for liberation. By taking refuge in the Buddha we recognize that everyone is equally the expression of Buddha nature. We acknowledge interdependence and strive to see the Buddha in all our relations.

We take refuge in the Dharma by embracing the teachings of the Buddha as the primary guide for our lives. Taking refuge in the Dharma means we deeply trust in our innate capacity as human beings to live as awakened beings and to realize our true nature. We recognize Dharma encompasses the universe and all of reality. We vow to study and practice the Dharma the whole of our lives.

We take refuge in the Sangha by relying upon our community of committed practitioners to learn together, to help us maintain our practice, and to deepen our investigation of life lived with wisdom and compassion. As a Sangha we recognize that being human is messy and trust that all Sangha members are making a good faith effort to learn and follow the Way. Sangha allows us to fulfill our commitment to free all beings by bringing kindness and compassion to our flaws,

bearing witness to each other's joys and losses, comforting and challenging when appropriate, and working to see one another clearly. Sangha is not only our community of Zen trainees, but all human beings, animals, insects, trees and plants, rivers and mountains and the earth herself.

At Zen Community of Oregon we aspire to create an inclusive environment for everyone. We recognize systemic forces of domination, privilege, and exclusion have resulted in unequal access to the resources that support formal Buddhist practice. We are committed to restoring wholeness to the Sangha by empowering those whose embodiment of the dharma has historically been suppressed, marginalized, or devalued. We celebrate diverse spiritual expressions and acknowledge the inseparability of individual and collective liberation. We affirm and respect our differences and encourage open communication so that ethical concerns or conflicts that arise are fully heard and addressed appropriately.

The Three Pure Precepts

We vow not to commit evil.

This is the foundation of Buddhist teaching. We refrain from harming ourselves, other people, animals, air, water and the earth herself by embracing interdependence, oneness, and integration. When we see ourselves as separate we cultivate the ground for the three poisons – greed, anger and ignorance – and an approach to life that is fearful, dominating, and selfish.

We vow to cultivate goodness.

To do good means to uncover and to act from the kindness, compassion, sympathetic joy and equanimity of our awakened nature. In our effort to live ethically, we embrace and rely upon the time-honored practices of confession, repentance, atonement and reconciliation.

We vow to do good for others.

Actualizing good for others is the life of the Bodhisattva. By taking refuge in Buddha, Dharma, and Sangha and following the Buddha Way, we offer people the opportunity to discover their true nature. Dogen said that service for the welfare of all beings must be engaged in a spirit of oneness and without a desire for some return or recognition. Doing good for others springs effortlessly from a well of compassion.

The Ten Grave Precepts

1. *We vow not to kill, but to cherish all life.*

The Bodhisattva's intent is to live compassionately and harmlessly.

We recognize that simply living involves the process of taking life, either directly or in complicity with others. This is the natural order of this earthly existence. We eat to sustain our bodies, use products often manufactured in mysterious ways and out of our control, and manage critters that impact our safety and livelihoods.

While many people are able to live well on a vegetarian diet, others cannot thrive with this restriction. The social reality in which our practice is embedded has been forged through centuries of war, genocide, capital punishment, species extinction, and other forms of legal and extralegal killing. We face this reality directly and atone for the collective karma that implicates us in the organized destruction of life. In vowing not to kill, we take responsibility for carefully considering our real needs, our reverence for life and the earth, and our Bodhisattva-inspired responsibilities to work for the benefit of all beings.

In its broadest context, not killing includes not harming the body or psyche of another. Members and Teachers are also encouraged not to kill the spirit of practice or the enthusiasm of other practitioners. Cynicism and sarcasm can suffocate another's faith in practice or the honest spirit of inquiry.

Therefore, we consider the following as a forms of killing and as violations of our ethical principles: physical violence, physical and verbal threats, extreme displays of anger, sexual assault and sexual harassment, child abuse - physical, sexual and emotional, and maliciously spreading ill will and falsehoods. Firearms and other weapons designed for harming or taking life are not allowed in any of ZCO's places of practice.

2. *We vow not to steal, but to respect the things of others.*

We undertake this precept as a commitment to live from a generous heart and to find satisfaction in the lives we live. We also agree to bring consciousness to the use of all of the earth's resources in a respectful and ecological way. Stealing not only hurts the person who is stolen from by instilling distrust, but also hurts the person who steals by cultivating an avaricious mind. Stealing from the Sangha can destroy the opportunity and environment for Zen practice.

The misuse of authority and status can be seen as a form of taking what is not given. It is important that individuals in positions of trust and power do not misuse their status or authority as a way to achieve special privileges and consideration or otherwise control or inappropriately influence others. Those who handle Sangha

funds or other assets have a special responsibility to take care of them and avoid their deliberate misuse or misappropriation.

3. *We vow not to misuse sexual energy, but to cultivate honest and caring relationships.*

Misusing sexuality is causing harm to others and oneself through the way we express our sexual energy. In order to avoid harm, we strive to understand the impact our sexual behavior has, not only on ourselves and our sexual partners, but on all our social and Sangha relationships.

Sexuality is a natural part of life. We acknowledge sexual intimacy and sexual identity as an aspect of spiritual practice. We encourage warmhearted, close relationships within the Sangha while providing clear boundaries for the protection of all who come to practice. We are committed to creating a safe environment free from shame and judgment regarding one's sexual orientation and gender identity and free from sexual harassment of any kind.

While we understand that we are all equal in terms of our Buddha nature, there are hierarchies of role, seniority, power, and authority within the Sangha that can influence interpersonal relationships and define appropriate boundaries within those relationships. Sometimes power differentials are clear, as in Teacher-Student relationships and sometimes not as clear, as in long-term Sangha members and new members. Given these complexities, considerable care and discernment must be taken when Sangha members consider engaging in romantic or sexual relationships.

According to the Faith Trust Institute,

“One is vulnerable to another person when one has less power/fewer resources than that person... this does not mean that they are powerless, but it does compromise their moral agency... Meaningful consent assumes the absence of any constraint, subtle coercion, or manipulation...”

We are committed to the following guidelines regarding sexual behavior in the Sangha in order to avoid harm to individuals and to the community.

- An adult engaging in sexual activity with minors is misusing sexual energy and engaging in criminal behavior. Full responsibility for avoiding such behavior lies with the adult. As required by law, incidents of child sexual abuse will be

reported to the appropriate authorities including Child Protective Services and law enforcement.

"All citizens have a responsibility to protect those who cannot protect themselves... Oregon state law... mandates that workers in certain professions must make reports if they have reasonable cause to suspect abuse or neglect." ORS 419B.005 (3)

Members of the clergy are “mandatory reporters” required by Oregon State law to report abuse or neglect to children under the age of 18, to people who are elderly or dependent, and to individuals with mental illness or developmental disabilities.

- Sexual harassment, sexual assault, and rape are criminal behavior and violations of our ethical code and will not be tolerated.
- Consent should always be requested and given before affectionate physical contact such as hugs, touches, and kisses is made.
- Anyone who continues expression of sexual interest toward another after being informed that such interest is unwelcome is misusing sexuality. This behavior is considered sexual harassment.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or conduct of a sexual nature (verbal, physical, or visual), that is directed toward an individual because of gender. It can also include conduct that is not sexual in nature, but gender related. Sexual harassment includes the harassment of the same or of the opposite sex.

Oregon.gov/boli/TA/pages/t_faq_talsexhar.aspx

- All Ordained, Postulants, Dharma Holders and Lay Teachers who have established Teacher-Student relationships through sanzen, private interviews, or other formal face-to-face contexts will not engage in any romantic or sexual behavior with their current and previous Students.

If a Student makes a complaint of sexual misconduct, the Harmony Committee will notify the Teacher a complaint has been received, and the Teacher-Student relationship will be immediately suspended. The Harmony Committee will conduct preliminary fact-finding to determine the nature of the complaint and decide whether to enlist the assistance of outside

professionals to investigate and make recommendations.

- When a risk of becoming romantically involved arises within the Teacher-Student relationship, the Teacher will consult a senior Teacher or the Harmony Committee about the situation and accept guidance on how to deal with this power dynamic. When deemed in the best interest of the Student, the Teacher will end the relationship in a timely and compassionate manner. If the Teacher-Student relationship is suspended, it will not resume without approval from senior leadership.
- When a Teacher is considering a romantic relationship within the Sangha, and there is a question as to whether a Sangha member should be regarded as a Student, it is the Teacher's responsibility to seek clarification of these roles and appropriate behavior by consulting with other Teachers, the Harmony Committee or other senior leaders in the Sangha.
- Priests, Dharma Teachers, visiting Teachers and ZCO board members who find themselves attracted to and considering a romantic relationship with a Sangha member, resident, or guest should be mindful of the unequal status. Therefore they should seek guidance with another Teacher and senior leadership about the appropriate course of action and the most healthful way to proceed.
- All Ordained, Postulants, Dharma Holders, Lay Teachers and long-term Monastery residents who have vowed faithfulness within a relationship should not engage in sexual relationships with any person outside this commitment. If romantic or sexual interests arise outside these committed relationships, guidance from the Abbot(s) and/or senior Teachers should be sought before pursuing outside relationships.
- New residents of Great Vow Zen Monastery commit not to pursue romantic or sexual relationships in their first year of residency.
- In ZCO, various members and Monastery residents may serve as teachers, mentors, committee members and advisors. These individuals are recognized as leaders in particular contexts and roles, but they may not be functioning as spiritual Teachers in a formal Teacher-Student relationship. These positions of leadership requires them to be more aware of their power in relationship to other Sangha members and their influence on newer practitioners. We encourage Sangha leaders to consult with Teachers, Harmony Committee or other Sangha leaders for clarity about role and appropriate boundaries when considering romantic and sexual involvement with others in the Sangha.

4. *We vow not to lie, but to speak the truth.*

Lying involves the intention to deceive, misrepresent, withhold or hide some aspect of the truth that obscures the nature of reality. This precept extends to not speaking up and remaining silent when others speak falsehoods or speak in hurtful ways. Speaking truthfully means being aware of the impact of speech and how the impact might be affected by the social position and/or personal background of the listener. Racist, sexist or homophobic speech, and other forms of hateful or ignorant speech, whether intended or unintended, distort reality and perpetuate the causes of suffering.

Lying is often used to protect ourselves from the fear of loss and the fear of being seen in a way that conflicts with our projected ego self. However, lying begets lying, leading to feelings of shame and anxiety, compounding confusion of mind and loss of authenticity in relationships.

When we keep in mind that our concern is the welfare of all beings, there may be situations in which lying is justified in order to avoid harming others. We must also keep in mind that truth is contextual and what is true for one may not be true for another, and so we look beyond a rigid sense of objective truth to intention and consequences. To arrive at understanding we engage one another to uncover our truths together.

Open and direct communication and having a sense of trust is essential for our work and practice together. This precept requires us to pay attention and to listen to one another with an open heart and curiosity. We take responsibility for being honest with ourselves and for being willing to hear difficult information about ourselves from others. Telling the truth is often hard and requires mindful consideration of the context, timing, and the way we deliver our message. When confidentiality is requested, we should honor the request unless serious harm may result to individuals or to the Sangha if the information is not disclosed.

5. *We vow not to intoxicate ourselves or others, but to keep the mind and body clear.*

This precept is about accepting our current experience and not rejecting anything by numbing or exciting ourselves with drugs, alcohol or addictive distractions of various kinds. Practice is best cultivated in a state of clarity and mindfulness with the mind and body clear of intoxication. When clarity is lost it is all too easy to break the other precepts. Furthermore, it is our intention that Great Vow Zen Monastery and Heart of Wisdom Zen Temple be environments that support those

who have made the decision to live without intoxicants and recover from addictions.

It is inappropriate to bring non-medical recreational drugs onto any ZCO premises. Alcohol or drug intoxication within the Temple, Monastery or Sangha events is inappropriate and cause for concern and possible intervention. When a member, Teacher or resident is involved in abusive or addictive use of intoxicants, it is important to remember that release from all attachments lies at the heart of Buddhist practice. They are expected to seek help with the counsel of a Teacher or other leader. If you are concerned about someone's intoxication, or use of intoxicants, you may contact a Teacher, leader or the Harmony Committee.

6. *We vow not to gossip and talk of other's errors and faults, but to be understanding and empathetic.*

It is extremely damaging to the Sangha when we speak of the faults of others with conscious or unconscious intention to disrespect and create disharmony between people. This may take place in front of the person or behind the person's back, and often leads to the speaker being disrespected. Working with this precept requires us to notice when an urge to criticize arises and then to pause to understand our motivation. When we reflect on this impulse we may discover underlying biases and prejudices, jealousy, an over concern with perceived unfairness, or judgments towards others in the community. Working with this awareness develops acceptance, patience, and understanding of other people's motivations and differing perceptions.

On the other hand, this precept can be used to evade our responsibility to report misconduct or attend to problems in the Sangha. It is important not to ignore legitimate concerns by suffering in silence and hoping that they will just go away. A Bodhisattva should speak out against injustice with a heart that is free of self-concern, even if it appears that they are violating the conventional meaning of this precept. When we speak up our intention should be for the benefit of the Sangha, for re-connecting and uniting people.

7. *We vow not to praise ourselves by criticizing others, but to overcome our own shortcomings.*

This precept is about realizing that we are not separate from all others and the entire universe. What we do to others we do to ourselves, what happens to others and this earth happens to us. We are all responsible for this life and share the same karma.

We all try to present ourselves in a way that shows we are worthy of love, respect and generosity from others and the universe. We are often anxious and fearful that

there is a scarcity of resources and love to go around and we might miss out if we are found lacking. A great deal of energy goes into comparing ourselves to others. Through our words or actions, we may criticize others or elevate ourselves to show our worthiness. When we realize many praiseworthy qualities that manifest through our being are entirely due to the kind support of others, we are joyful and grateful. We understand it is not possible to praise self without mention of the virtues of others.

In this Sangha we recognize there are times when criticism is warranted and necessary for the health and safety of the Sangha. When doing so we pay attention to our motives and employ compassionate honesty and follow the procedures in this document for conflict resolution and transformation.

8. *We vow not to withhold spiritual or material aid, but to give freely when needed.*

This precept encourages selfless generosity at many levels. We do not expect something in return when we give material aid, our presence, our love and attention to others, share our authenticity and/or give our labor to the Sangha. It is not about sacrificing our needs for making a living or for sustaining our body and health by living as an ascetic. Nor is it about giving in such a way that we elevate our worthiness in our eyes or in the eyes of others. Rather we give because giving is the Dharma.

All the roles and service positions in the Sangha are for the support of everyone's practice and awakening. Neither the resources of the Zen Community of Oregon nor any position within the Sangha are the possession of any one person. It is not appropriate for anyone, especially a Teacher, to use their relationship to ZCO for personal gain or fame at the expense of the Sangha or the practice-intention of its members.

Being a member of ZCO includes a willingness to participate, to show up on time, to respect the forms and to give time and energy to maintain the community. Everyone has different resources and can give according to their ability, through donations, performing service positions, serving on committees or the ZCO Board of Directors, participating in work practice and work retreats, and/or coming to Sesshin, workshops and special events like the Annual Dinner. When Sangha members are willing to give without concern about their "fair share", the Dharma flourishes in an atmosphere of abundance.

9. *We vow not to unleash anger and harbor ill will, but to seek its source and cultivate understanding and loving kindness.*

We all have deep seated conditioning that creates belief that the world should operate the way we want it to. When things don't go our way we may feel frustrated, angry and harbor a sense of injustice and entitlement. If this anger festers, we may imagine revenge, killing and harming others and ways of manipulating people and conditions in order to get our way. Harboring ill will and anger may be a sign that we are clinging to a belief that the self is separate from all other beings and the universe.

The feeling of anger is a messenger that something is wrong and can supply motivation for necessary changes. When we are committed to the greatest welfare for all beings, anger can be used skillfully. Through our practice, anger can be turned into clarity and fierce determination to work to correct the many wrongs in the world.

Overt acts and expressions of intense anger in the community such as physical violence or threats are likely to create an atmosphere of fear and distrust and are violations of our ethical code. When anger arises we face the anger honestly, work to understand the causes and our conditioned expectations, and commit to finding ways of resolving the conflict.

10. *We vow not to speak ill of the Three Treasures, but to cherish and uphold them.* This all-encompassing precept brings us back to taking refuge in Buddha, Dharma and Sangha and the Three Pure Precepts, which form a seamless link of continuous practice. When we disparage or denigrate any one of the Three Treasures, we harm the other two. In practicing this precept we fully appreciate and support the self-expression of all life. We take refuge with respect, devotion and open-hearted embrace of the Three Treasures. This means we see Buddha, Dharma and Sangha manifesting in all phenomena of our everyday experience.

When we have concerns about any of the Three Treasures, we look deeply into our intention and motivation, employ skillful means to express our concerns, and continue to honor the Three Treasures. Creating disruption in the Sangha for its own sake is a violation of this precept and our ethical code. We always keep in mind the health, harmony and wellbeing of our community as well as its teachings and practices.

INFORMAL PROCEDURES FOR ADDRESSING CONFLICTS AND DISAGREEMENTS

Despite our emphasis on welcoming everyone with an open heart and treating each other with respect and love, it is inevitable that conflict will arise. We will

encounter people who annoy us or trigger the stronger negative reactions of anger and fear. We may seek to minimize the possibility of such conflict by trying to avoid the other person(s) as much as possible and/or we may be strongly tempted to leave ZCO because of a perceived potential or actual conflict with another practitioner.

The good news is that such reactions and the interpersonal conflict that can arise from them are viewed in our Sangha as a normal and useful part of practice. We are strongly encouraged to see conflict as a vital part of our practice, an opportunity to learn more about ourselves and potentially to experience transformation of these difficult relationships.

When a conflict arises because of disagreements or misunderstandings, or conflict is observed that is disturbing, Sangha participants are encouraged to seek resolution by engaging in one of the informal processes listed below. If a conflict involves or threatens violence or abuse, the Formal Grievance Procedures are immediately engaged to deal with such situations.

Before engaging another person in the Sangha about your negative reaction to them, take some time to discern how serious the matter is for you. Ask yourself if you can move to a place of non-reactivity and acceptance about the issue without engaging the other person directly. Equally important, ask yourself whether you are a person who tends to avoid conflict and needs to learn how to speak up skillfully and ask for what you need. You may informally consult Harmony Committee members about your experience to gain perspective and skills and to discuss options for resolution.

When you feel it is important for you to deal with a conflict or potential conflict with another person in the Sangha, the first step is to attempt to go directly to that person and discuss the problem in an effort to resolve the situation. Here are some guidelines that can be helpful in this process:

Before the meeting

1. Take time to reflect on the Precepts (see above) and other relevant Buddhist teachings.
2. Develop as clear a picture as you can about the issue(s) and the responsibility of all persons involved.
3. Consider your own behavior and thinking and become willing to take responsibility for how they may have contributed to the problem.
4. Think about what you would like from the meeting.
5. If you feel unsure about how to proceed, seek advice but avoid allies who will only support your view of the issue.

6. When requesting the meeting, ask for enough time to discuss the conflict calmly and adequately.

During the meeting

1. Come from a place of respect and kindness as much as possible.
2. Adopt a stance of “Don’t Know.” Be open, candid, and as specific as possible while striving to let go of fixed positions and beliefs. Allow for unexpected perspectives and solutions to the problem.
3. Listen non-judgmentally and with compassion both for yourself and the other party.
4. Let go of a victim perspective and try not to assign blame, establish guilt, or seek punishment.
5. Begin by stating, as factually as possible, how you remember the history of the conflict. Avoid injecting your interpretations or opinions about the issue.
6. Allow the other party to recount their memory of the conflict and notice how it may differ from yours.
7. State your feelings about the matter and allow the other person to do the same.
8. Acknowledge and take responsibility for your own part in the conflict.
9. State your goals for resolution of the conflict as clearly as possible.

Mediation

When requested, the Harmony Committee will provide mediation with the parties involved in conflict. If meeting with the person one-on-one does not bring a satisfactory resolution of the conflict, or if either party does not feel comfortable about meeting directly, then mediation may be appropriate and useful. The parties involved in the conflict may request a member or members of the Harmony Committee or another person who is mutually acceptable to witness and/or mediate a discussion of the conflict. The Harmony Committee will assist the parties involved in preparing for mediation with information on how mediation works and the roles of the mediator and participants.

When a resolution of the conflict is not reached with the help of mediation, then the formal Sangha Harmony Committee procedure, outlined below, should be followed.

THE FORMAL GRIEVANCE PROCEDURE

Any ZCO member or participant may come to any member of the Harmony Committee to discuss a concern or file a verbal or written complaint. The Harmony Committee will discuss the person’s concern or complaint and conduct

initial fact-finding. Within two weeks, the Harmony Committee will decide if the complaint warrants the initiation of the Formal Grievance Procedure.

If the conflict is deemed dangerous or abusive or if it involves a violation of the Teacher Code of Conduct, the formal procedure of a written notification to the Sangha Harmony Committee **MUST** be followed. When a complaint of sexual or physical abuse or intimidation is made regarding a Teacher, the Teacher-Student relationship will be suspended immediately. The Harmony Committee will request a written grievance and initiate preliminary fact-finding to determine the nature of the complaint. The Harmony Committee will gather enough information to decide whether to enlist the assistance of outside professionals, such as the Faith Trust Institute, to conduct an investigation and provide recommendations for resolution. If the Harmony Committee's initial fact-finding determines a complaint of abuse has merit, the Harmony Committee may request that the ZCO Board of Directors inform the Sangha in order to encourage other victims to come forward for a thorough investigation.

The formal grievance procedure can be activated for a number of reasons and must be followed in certain situations.

1. When peer individuals have tried to come to a resolution themselves using the informal conflict resolutions procedures and there is no mutually satisfactory resolution
2. When engaging the informal conflict process feels too threatening
3. When the conflict involves illegal or egregious unethical behavior, such as theft or embezzlement, sexual harassment and abuse, racial harassment and discrimination, physical violence or threat
4. When the conflict involves illegal or unethical behaviors between individuals of unequal status, power and authority, such as between Teacher and Student, Priest and resident
5. When ZCO receives information from outside the Sangha concerning Sangha members, Monastery residents, Board of Directors, Teachers or Priests that may involve unethical or illegal behaviors

Filing a Formal Complaint with the Harmony Committee

A formal complaint is filed in writing to a member of the Harmony Committee. The Harmony Committee may assist the petitioner in the preparation of the written complaint. The written Formal Complaint will include:

1. A statement that a formal complaint is being filed and the date submitted.
2. The name and contact information of the person filing the complaint and the name(s) of the person(s) the complaint concerns.

3. A description of all the available pertinent details of the situation and the specific behaviors of the person(s) the complaint concerns. This should be sufficiently detailed for the Harmony Committee to determine if a formal grievance should proceed.
4. A history of the previous attempts (if any) to resolve the issue and why they have not been successful.
5. A statement of the desired resolution.

At this stage, this material will be treated with respect and remain confidential within the Harmony Committee, except for any disclosure mandated by law or in cases of immediate threat to health and safety.

It is the Harmony Committee's responsibility to ensure that no one coming forward with a concern, conflict or complaint will be subject to reprisal in any form.

Accepting a Complaint

The Harmony Committee member who receives the complaint will promptly forward the written document to the other members. The Harmony Committee will inform the person submitting the complaint that it has been received and state when the Harmony Committee will meet to review the complaint. At this time the Harmony Committee may make a written or verbal request for additional information from the person filing a grievance. Within two weeks after a complaint is received a majority of the Harmony Committee membership must meet to review the complaint and decide if a formal grievance procedure is warranted.

After the initial review the Harmony Committee may make four possible determinations:

1. The nature of the complaint requires immediate intervention to assure the health and safety of the parties involved and that appropriate steps will be taken.
2. Informal conflict resolution is more appropriate, especially if it has not been attempted. The Harmony Committee will assist the parties involved with the informal conflict resolution process.
3. Because the nature of the complaint and the individuals involved constitute a severe conflict of interest within the Sangha, outside professionals with expertise in conflict in spiritual communities will be asked to investigate and make recommendations.
4. The complaint is accepted and will continue through the formal grievance process overseen by the Harmony Committee.

Within three weeks after beginning a formal grievance the Harmony Committee will inform the person(s) filing a complaint and person(s) named in the complaint that a grievance has been accepted by the Harmony Committee. The notification will state the Harmony Committee's understanding of the issues involved and the plan going forward.

Investigation of a Complaint

When the complaint is accepted as a formal grievance, a fact-finding plan and schedule is developed. All efforts will be made to proceed without delay. The process may include individual interviews with the parties involved, others with knowledge of the situation, and/or consultation with legal representatives and other professionals with recognized expertise in particular areas. If any of the parties identified in the complaint choose not to participate in the formal grievance process the Harmony Committee will proceed and recommendations may be made without their involvement.

The Harmony Committee may then hold private meetings to allow the individuals involved to present their understanding of the conflict and their desired resolution. During the meetings, the Harmony Committee may question the parties involved and ask for more information. If needed, additional meetings will be scheduled that may include other relevant information and individuals. Individuals involved in the complaint may have a support person of their choice present during meetings who may also make statements during the fact-finding stage and meetings. The Harmony Committee is committed to a process that insures that everyone involved in the complaint will have full and fair opportunity to respond. The Harmony Committee will maintain a written record of the fact-finding process and meetings.

Grievance Findings and Recommendations

Once fact-finding and meetings are complete the Harmony Committee will convene to discuss the findings. Through this discussion the Harmony Committee may find that additional information or advice would be helpful in reaching a decision. The ZCO Board of Directors, other Zen Centers, and/or conflict resolution professionals may be consulted.

The Harmony Committee works within a consensus model of decision-making. All members will contribute to writing the final decision and recommendations for resolution. Ideally, the Harmony Committee will reach a decision and complete the report within a month following the end of the fact-finding process.

Findings and recommendations may be presented in one of two ways: a separate face-to-face meeting with each individual involved in the conflict or convening a meeting of all the parties involved. The Harmony Committee distributes the written report at this time. The findings report is read aloud during the meeting

and questions can be posed and answered, but the findings report will not be changed during this meeting. At this time, in certain circumstances, the ZCO Board of Directors will be informed of the conflict and the Harmony Committee findings and recommendations concerning the situation.

If any of the parties involved in the conflict feel the decision is based on bias or procedural irregularities or new information comes to light, they may appeal the decision to the ZCO Board of Directors. The written appeal must be delivered to the President of the Board within thirty (30) days after the Harmony Committee report is received. The appeal must explain the reason and evidence for the appeal. The Board notifies the Harmony Committee that an appeal has been filed. The Board will review the findings, recommendations and appeal arguments. The Board will then decide to uphold or reconsider the Harmony Committee findings and recommendations.

It is the responsibility of the ZCO Board of Directors to see that the decisions of the Harmony Committee are carried out. At any point during the course of the Formal Grievance Procedure, whether conducted by the Harmony Committee or an outside organization, findings and recommendations may be made public on a case-by-case basis. Based on the findings and recommendations the Harmony Committee may recommend all or part of the final report be shared with relevant individuals and/or the entire Sangha. Otherwise, the documentation, testimony, findings and recommendations report shall remain confidential.

The following are examples of actions the Harmony Committee might recommend to bring transformation, healing, atonement and reconciliation following the completion of an informal or formal grievance procedure:

- A finding that the grievance was unfounded
- Mediated dialogue between involved parties
- A period of separation between the parties such as changing times they attend Temple or other means
- Private or mediated apology
- Private reprimand
- Apology and reparation to the person who made the complaint
- Apology and reparation to the ZCO Sangha
- Period of probation with probationary terms
- Recommendation to participate in relevant training in boundaries, racism, etc.
- Recommendation of psychological therapy, medical care or participation in a recovery program
- Suspension from positions of responsibility within the Sangha

- Immediate suspension of Teacher-Student relationship
- Suspension from Great Vow Zen Monastery and Heart of Wisdom Zen Temple for a stipulated period of time with conditions for how and when return is possible
- Expulsion from the Sangha or Monastery residency
- The findings and recommendations of the Harmony Committee are made public

The Harmony Committee may also make recommendations for Sangha wide education and systems revisions such as:

- Education and/or training in communication skills, non-violent communication, boundaries and consent, racism and discrimination, etc.
- Teachers address certain issues in Dharma talks
- Changes to administrative processes

CODE OF ETHICAL CONDUCT FOR ZCO TEACHERS

This code of ethical conduct applies to all members of the Zen community of Oregon who are functioning as spiritual teachers. In a given situation, this may include Postulants, Dharma Holders, Lay Teachers, Ordained and any other members who are serving the Sangha from a position of spiritual authority. Some elements of this code of conduct apply specifically to those Teachers who have been formally authorized by the lineage to transmit the Dharma to students and who encounter students in sanzen and private interview.

Sacred Trust

As Teachers we have been given a sacred trust to support the awakening and relief from suffering of students. This sacred trust is founded on Bodhicitta, the compassionate wish that all beings be free from suffering and the loving-kindness aspiration that they may enjoy happiness. We regard students as precious beings and relate to them with veneration. As Teachers we cultivate a stance of humility so that we may counter any tendency to develop a sense of superiority vis-a-vis students. We recognize the trust between a student and their spiritual Teacher is unique. The surrender of will and release of personal identity involved in spiritual practice expose a core vulnerability in the student. Any action on our part as Teachers that threatens, damages, or violates this trust has the potential to do great harm.

Core Value

As Teachers we are aware of the effect our conduct has on the life of students. We are committed to behavior that promotes trust, respect, and open communication. We pledge to refrain from actions that abuse the inherent power difference between Teacher and student causing harm to students physically, sexually and/or psychologically.

We recognize that our mental afflictions can have a harmful impact on students when we are unaware of them or ignore them. Therefore, we recognize the importance of receiving feedback, and continuing to be aware of and work with our own mental afflictions.

Chozen Bays, Roshi said, “It is the responsibility of the Teacher to inform students that the Teacher is not a fully enlightened actualized being, but just another human being who will make mistakes, and to provide an example of willingness to learn from anyone or any circumstance.”

Specific Commitments

In addition to the ethical principles and guidelines as outlined in “Ethical Principles and Conflict Management in the Zen Community of Oregon” as Teachers we make the following additional commitments to our students:

Student-Teacher Relationships

We vow to be honest in all interactions with students.

We vow to maintain clear boundaries with students and to always act in the best interest of the students.

We vow not to abuse students through sexual misconduct, physical or verbal abuse, or by psychological manipulation of the inherent power dynamic in the Teacher-Student relationship.

Sexual Relationships

We acknowledge that, because of the inherent power differential between Teacher and Student, any romantic or sexual relationship between a Teacher and Student has the potential for severe harm to Students, to Teachers and to the Sangha. In order to preserve the sacred trust that we, as Teachers, hold with our Students, we vow to refrain permanently from engaging in romantic or sexual relationships with current and previous Students.

If romantic and/or sexual attractions arise between Student and Teacher we, as Teachers, will consult a senior Teacher or the Harmony Committee about the situation and accept guidance on how to maintain healthy boundaries in the Teacher-Student relationship. If it is determined to be in the best interest of the

Student, we will end the Teacher–Student relationship in a timely and compassionate manner.

As Teachers, when we are considering a romantic relationship within the Sangha and there is a question as to whether the Sangha member is considered a Student, we accept responsibility for seeking clarification of these roles and appropriate behavior by consulting with other Teachers, the Harmony Committee or another senior leader in the Sangha before pursuing a relationship.

Postulants, Dharma Holders, Lay Teachers and Ordained who have vowed faithfulness within a relationship, should not engage in sexual relationships with any person outside this commitment. If romantic or sexual interest arises outside these commitments, we will seek guidance from senior Teachers before pursuing other relationships.

Duty to Warn

As members of the clergy we are “mandatory reporters” required by Oregon State law to report abuse or neglect to children under the age of 18, to people who are elderly or dependent, and to individuals with mental illness or developmental disabilities. We vow to perform this duty when necessary to protect our community.

"All citizens have a responsibility to protect those who cannot protect themselves... Oregon state law... mandates that workers in certain professions must make reports if they have reasonable cause to suspect abuse or neglect." ORS 419B.005 (3)

Dual Relationships

Dual relationships are created when a Teacher and student wish to relate in more than one capacity; for example, attorney and client, doctor and patient. We vow to end the Teacher-Student relationship before commencing a new professional relationship. When we are in doubt about whether we are engaging in a dual relationship with a student, we will seek the counsel of Roshi, other Teachers or the Harmony Committee.

Privacy

We vow to respect the intimacy and sensitivity of all formal interactions including sanzen and private interviews with students. We treat matters discussed in these contexts as private, except in the case of necessary consultation such as concerns about the safety of the student or another person. ZCO Teachers may, in confidence, consult with other Teachers regarding sensitive matters brought up by students in meetings. It is also the practice of ZCO that Dharma Teachers in

training may discuss Teacher-Student interactions with senior Teachers as part of Dharma Teacher training.

Financial Responsibility

We vow to be scrupulously honest with ZCO funds, recognizing that such funds belong to our entire Sangha. Those who handle Sangha funds or other assets have a special responsibility to take care of them and avoid their deliberate misuse or misappropriation.

Gifts

We vow to uphold the integrity of Teacher-Student relationships by avoiding undue influence resulting from the exchange of gifts.

Conflicts or Grievances with Teachers

When a student has a complaint about us as Teachers, we commit to listen with an open heart, acknowledge the concern and consider the student's point of view. We vow to be empathetic, open and compassionate in our interactions with the student. In the event we are unable to resolve the conflict with a student we will consult with Roshi, other Teachers or the Harmony Committee for assistance. We will inform the student of our intention and provide them with information about the Harmony Committee and how to receive support within the Sangha. If the nature of the complaint triggers the Formal Grievance Procedure we commit to cooperate and abide by the process to resolve the conflict.

Signed:

Dated:

THE SANGHA HARMONY COMMITTEE

The Zen Community of Oregon Sangha Harmony Committee assists Sangha participants in dealing with conflict or the potential for conflict in order to maintain ZCO as a place of refuge and safety.

The mission of the committee is to facilitate communication within the Sangha and to inspire harmonious and responsible Sangha life while creating opportunities for transformation and healing.

The Sangha Harmony Committee is committed to a practice of deep listening and compassionate action while maintaining the ability to see the big picture. It is

always the committee's priority to emphasize the humanity of all involved in a conflict, to act with integrity, compassion and commitment to healing and wholeness for all. The committee's role is not to determine and administer punishments for "bad" behavior, but to assist in resolving conflict and disagreements in a way that transforms them into opportunities for growth and connection.

The committee recognizes that the process may be uncomfortable and painful when boundaries must be set and harms done must be acknowledged, atoned and reconciled. It is the committee's hope and intention that the conflict resolution process creates an atmosphere in which conflict can be resolved without acrimony and lingering resentment.

The committee serves the Sangha as consultants, listeners, witnesses and mediators for the informal conflict resolution process. There may be instances in which the degree of harm or potential harmful behavior will make it necessary for the Harmony Committee to act as an investigative body. In those instances the committee may suggest and/or require the parties involved in conflict to engage the formal grievance process. When the formal grievance procedure is initiated, the committee receives, reviews and investigates complaints. It then conducts interviews, may hold meetings, recommends resolutions, maintains records and, when appropriate, may report to the ZCO Board of Directors. There may be situations where it is imperative to consult or contract with professionals and organizations outside ZCO to assist with, or to carry out, the investigation of a formal grievance and make recommendations for resolution.

When unresolved conflicts or conflicts of interest involve Harmony Committee members, the committee will request the ZCO Board to appoint alternates who will be drawn from the Sangha, ZCO Board, other spiritual communities, or outside professionals to carry out the informal and formal conflict resolution and grievance process.

In cases involving the health and safety of people involved in a conflict the Harmony Committee will review the complaint within 24 hours and initiate appropriate measures to mitigate harm. These mitigating actions may require the assistance of the Abbot(s), Priests, senior leaders, ZCO Board of Directors, social service organizations and/or law enforcement.

The Harmony Committee is comprised of members of ZCO and is empowered by and responsible to the ZCO Board of Directors. Harmony Committee members

have experience and/or training in conflict resolution, mediation, skillful communication, Non-Violent Communication and/or counseling.

The current members of the Harmony Committee can be contacted directly and are: Co-Chairs, Allen Ryotetsu Whitaker-Emrich nanallenwe@gmail.com and Linda Chorin Vick lindacvick@comcast.net. Others members are Nan Kyoko Whitaker-Emrich nan5010@gmail.com, Rowan McNamara makhno68@yahoo.com and Kenno Patrick Dunn kenny@zendust.org.

IN CONCLUSION

This ethics document is intended to provide the Zen Community of Oregon with tools to support a vibrant and harmonious Sangha. Right view and right action in the midst of conflict should always come from a compassionate heart-mind and contribute to the wellbeing and safety of all.

Clear ethical guidelines as embodied in the 16 Bodhisattva precepts and The Teachers Code of Conduct serve as the basis for a responsible community. These guidelines and recommendations for Sangha participants support “Right Action” and healthful, wholesome behaviors. With these guidelines we have a path to deal with difficult situations before they become destructive to the wellbeing of the community.

Well-defined procedures for managing conflict as embodied in the Guide to Informal Conflict Resolution and the Formal Grievance Process serve as the basis of resolving conflict in a safe, effective and constructive manner.

We encourage you to read and view this document in the spirit of loving kindness and compassion, avoiding an overly strict and narrow interpretation or legalistic understanding of its meaning or instructions.

It is the Harmony Committee’s intention that this document be a living guide that, over time, encourages questions, dialogue and discernment. We believe that it will evolve and grow in wisdom and maturity along with our community.

ACKNOWLEDGEMENTS

In writing this document we have drawn from the wisdom of ZCO Abbots, Teachers and members as well as the Ethics Statements of the San Francisco Zen Center, Zen Center of Los Angeles, Dharma Rain Zen Center, Kagyu Changchub Chuling Tibetan Temple, Insight Meditation Teachers Code of Conduct, in addition to many Buddhist authors and Teachers.

ZCO BOARD OF DIRECTORS APPROVAL AND ADOPTION

The “Zen Community of Oregon Ethical Principles and Conflict Management” and “Code of Ethical Conduct for ZCO Teachers” were approved and adopted by the ZCO Board of Directors on November 17, 2019.