

# STATEMENT OF ETHICAL PRINCIPLES AND PROCEDURES

## *OPEN MIND ZEN*

### **PREFACE**

The intent of this policy is to nourish and protect the treasure of Sangha and to promote harmonious relationships among all its members and participants.

A compassionate standard of behavior is expected from everyone who participates in Open Mind Zen (OMZ) activities. This standard is based on respect for each person as a unique expression of Buddha nature regardless of age, race, gender, ethnic background, religious background, appearance, sexual orientation, physical abilities, political beliefs, social class, or occupation.

### **GUIDING PRINCIPLES**

We aspire to relationships that are characterized by appropriate action, relationships based on trust, cooperation, openness to differences, good communication, fairness, kindness, and respect. The Sangha cultivates these qualities as the practice of keeping the precepts and developing good dharma friendships.

Inappropriate action is harmful to others and ourselves. It may include, but is not limited to, physical violence, sexual misconduct or harassment, drug and substance abuse, malicious gossip, extreme or regular displays of anger, insults or demeaning comments, and manipulative or duplicitous speech or action. Persons who encounter inappropriate actions from any member of the OMZ Sangha -- including its teachers and senior instructors -- or who themselves practice such conduct, should be aware that these actions violate the spirit of the precepts and the practice of appropriate action.

OMZ members that experience difficulties are encouraged to speak directly with the Sangha members involved. It is important that these communications be handled with care and respect for all involved. Therefore, Sangha members are encouraged to reflect upon the Eight-Fold Path before engaging in challenging or difficult conversations. The Eight-Fold Path provides practical guidance for skillfully approaching difficult situations.

## EIGHT-FOLD PATH

1. **Skillful view.** What is your view of the situation? Describe it as clearly, factually, and concretely as possible. What might be missing from your viewpoint? How are your emotions affecting your view?
2. **Skillful intention.** What is your highest intention for the resolution of this situation? Consider your intentions for yourself, the “offending” member, and the Sangha. Is your intention consistent with the precepts?
3. **Skillful speech.** How will you talk about this situation with others?
4. **Skillful action.** What action are you willing to take to resolve this situation? Is immediate action required, or a more thoughtful, measured approach appropriate?
5. **Skillful livelihood.** How might this situation impact your home or work life?
6. **Skillful effort.** What are you trying to do or affect in this situation? How are you going about it? Is it aligned with your vows for liberating all beings?
7. **Skillful mindfulness.** What might you not be aware of or know about? How might you use this situation to expand your own awareness?
8. **Skillful concentration.** How can you bring focus, energy, wisdom, and care to this situation?

By reflecting deeply upon the Eight-Fold Path, everyone concerned has the opportunity to put the situation in the context of practice and the dharma.

## **POLICIES AND GUIDELINES**

### *STUDENT / STUDENT RELATIONSHIPS*

Relationships between students are not directly regulated by this policy. However, Open Mind Zen Center strives to create a safe and inviting environment for all of its members. Consistent with this, students are encouraged to treat one another with fairness, kindness, and respect. Further, we wish to allow new students and visitors time to acclimate to the Center and the practice. Therefore, it is expected that existing students will not date or otherwise form intimate relationships with new students until after the new student has been a member for at least one month. Should difficulties arise between students, the Reconciliation procedures described later in this document are available to help mediate disputes and facilitate constructive change.

### *TEACHER / STUDENT RELATIONSHIPS*

A teacher at OMZ is anyone involved in an official instructional capacity. This includes the Head Sensei and the teachers and/or assistant teachers designated by the Head Sensei to serve as an instructor or mentor for newer students. Anyone serving in an official leadership position at OMZ, such as a Member of the Board of Directors, shall be held to the same standard of conduct

as a teacher. Senior students who occasionally assist teachers in instruction, such as giving Dharma talks, are considered “students” for the purpose of this policy. Guidelines for senior students are described in the “Student / Student Relationships” section of this policy.

Student / teacher relationships should be based on mutual respect, compassion, and kindness. We acknowledge the inequality inherent in such a relationship and the power issues involved. We specifically acknowledge the great harm, both psychological and spiritual, that results from teachers becoming sexually involved with their students, both for the teacher and student involved, and for the community as a whole. We, therefore, consider it unethical for a teacher to engage in an intimate relationship beyond simple friendship with his or her student.

Open Mind Zen considers it important to honor and respect marriage. Therefore, it is also considered unethical for a teacher to form an intimate relationship with a student while either the teacher or the student is married to another person. Should this happen, the teacher shall immediately cease all teaching duties for a minimum of six months. In addition, the Guardian Council shall review the situation to determine whether further actions are warranted.

Should a single teacher feel that they are in danger of forming an intimate relationship with a single student, the teacher must do the following:

- Immediately suspend the student-teacher relationship.
- Notify the Guardian Council of the situation.
- Begin a one-month “cooling off” period where the teacher and student don’t date.

The Guardian Council will then review the situation to determine if further actions are warranted. At a minimum, the teacher shall be put on a six-month probation period. During the probation period, the Guardian Council may elect to suspend teaching privileges or take further actions as deemed necessary.

### *TEACHER / VISITOR RELATIONSHIPS*

A visitor is defined as a person who only occasionally visits OMZ and who has not formed a mentoring relationship with an OMZ teacher. Teacher / visitor relationships should be based on mutual respect, compassion, and kindness. We acknowledge the potential inequality in such a relationship and the power issues involved. We, therefore, consider it unethical for a teacher to engage in an intimate relationship beyond simple friendship with a visitor to OMZ.

Open Mind Zen considers it important to honor and respect marriage. Therefore, it is also considered unethical for a teacher to form an intimate relationship with a visitor while either the teacher or the visitor is married to another person. Should this happen, the teacher shall immediately cease all teaching duties for a minimum of six months. In addition, the Guardian Council shall review the situation to determine whether further actions are warranted.

Should a single teacher feel that they are in danger of forming an intimate relationship with a single person who has visited OMZ within the last six months, the teacher must immediately notify the Guardian Council of the relationship. The Guardian Council is responsible for reviewing the situation to determine whether further actions are warranted.

### *ATONEMENT*

Any person who acts inappropriately is expected to make every effort to realign their conduct in accord with the precepts and to take the actions necessary to restore the harmony of the Sangha and mitigate any harm done. Such atonement is an integral part of our spiritual practice. This spirit is captured in the verse of Atonement, which is repeated during each Sunday service.

#### **Verse of Atonement**

*All negative karma, ever committed by me since of old,  
On account of my beginningless greed, anger and ignorance;  
Born of my actions, speech and thought;  
Now I atone for it all.*

### *CONFIDENTIALITY*

Each student should feel free to explore the Dharma and study the self in an environment of trust and confidentiality.

Conversations with Teachers during Dokusan (interviews) and other practice discussion are privileged under the Law, but only when made privately without the intent of further disclosure, except to other persons present in furtherance of the purpose of the communication. Personal information offered at meetings, practice events, or Sangha gatherings are not confidential.

## **RECONCILIATION**

We are committed to solving problems and resolving issues that may arise from inappropriate action. If a person believes that they have been inappropriately treated and seeks resolution, the following steps may be taken.

### *GUARDIAN COUNCIL*

The OMZ Guardian Council has been instituted to facilitate and monitor the Reconciliation process. The Guardian Council will consist of four members from the Sangha. Three of these members will be designated as active members, and the fourth person will be the designated alternate. The OMZ Board of Directors nominates members to the Guardian Council. The current membership of the OMZ Guardian Council will be posted at the Center for easy reference by the Sangha. The Guardian Council participates in the Reconciliation process as described below. Also, the Guardian Council is available to answer any questions that Sangha members may have about the Reconciliation process.

### *INFORMAL RESOLUTION*

The aggrieved person should directly contact the person(s) who has (have) allegedly acted inappropriately, making an effort to reach an understanding and to resolve differences. All of the parties involved are encouraged to treat one another with kindness and respect consistent with the Guiding Principles outlined in this policy. If the dispute is not resolved, then the aggrieved person may proceed to the next step of the Reconciliation process, Internal Mediation.

Should the parties involved in the informal resolution process feel that a change to OMZ policy is warranted, a written appeal must be made to the OMZ Board requesting this change. The aggrieved person shall submit a written request that is signed by all parties in the dispute for the OMZ Board of Director's consideration. The OMZ Board of Directors shall vote on the recommended changes within two weeks of receiving the written request. OMZ Board members involved in the dispute shall recuse themselves of participating in this process.

### *INTERNAL MEDIATION*

If the grievance cannot be resolved informally, then the aggrieved person may request a meeting with the senior-most Teacher not involved in the grievance to mediate the dispute. The role of the Teacher in this process will be to facilitate discussion, helping the parties to reach a mutually agreed upon resolution of the issues. If the parties are unable to resolve the differences through this mediation process, then the aggrieved person may proceed to the next step in the Reconciliation process by requesting a meeting with the Guardian Council.

Should the parties involved in the informal resolution process feel that a change to OMZ policy is warranted, a written appeal must be made to the OMZ Board requesting this change. The aggrieved person shall submit a written request that is signed by all parties in the dispute for consideration by the OMZ Board of Directors. The OMZ Board of Directors shall vote on the recommended changes within two weeks of receiving the written request. OMZ Board members involved in the dispute shall recuse themselves of participating in this process.

### *APPEAL TO THE GUARDIAN COUNCIL*

The next step in the Reconciliation process involves a formal appeal to the Guardian Council. The person filing the grievance will provide the Guardian Council with a written description of the alleged inappropriate action and the efforts to resolve the matter informally and through mediation. The person who allegedly acted inappropriately shall respond to the allegation in writing to the Guardian Council within one week. The Guardian Council shall request a meeting within four weeks of receipt of the response. Should a member of the Guardian Council be included in the Grievance, than the alternate Council member shall replace that person. If additional alternates are required beyond this, the OMZ Board of Directors shall select new Guardian Council members prior to continuing the Reconciliation process.

The Guardian Council shall hold a meeting that includes the person alleging the grievance, the person(s) who allegedly acted inappropriately, and at least one member of the OMZ Board of Directors. The selected OMZ Board member shall serve as an observer only, not as an active participant in the process. If the parties agree, this meeting may include others who have knowledge relevant to the case under discussion. At the conclusion of the meeting, the Guardian Council will caucus to determine what corrective actions, if any, are to be instituted. The Guardian Council shall provide a written statement of the position reached to the parties involved and the OMZ Board of Directors within one week of the meeting. If the parties are unsatisfied with the findings of the Guardian Council, then they may proceed to the final stage of the Reconciliation policy, which involves appealing to the White Plum Asanga.

Only the OMZ Board of Directors has the legal authority to change OMZ policy or change the status of an OMZ teacher. Therefore, should the Guardian Council's decision result in recommendations to change OMZ policy or to change the status of an OMZ Teacher, the Guardian Council shall submit a written request to the OMZ Board of Directors to enact the change. The OMZ Board of Directors shall vote on the recommended changes within two weeks of receiving the written request. OMZ Board members involved in the dispute shall recuse themselves of participating in this process.

### *APPEAL TO THE WHITE PLUM ASANGA*

The final step in the grievance process involves an external appeal to the White Plum Asanga. The White Plum Asanga is an organization of affiliated Zen Centers in the lineage of Hakuyu Taizan Maezumi Roshi. Open Mind Zen Center is an active member of this organization.

Appeals to the White Plum Asanga should only be undertaken after all other avenues to resolve the issues within OMZ have been exhausted. Therefore, students should complete all of the earlier steps in the Reconciliation process before making an external appeal. Members wishing to appeal to the White Plum Asanga must first notify the OMZ Board in writing of their intent to do so. Once this is complete, the member should contact the White Plum Asanga member that has been designated to assist in the OMZ Reconciliation process. If necessary, the White Plum designee will elevate the issue to the full White Plum Asanga.

## **CONCLUSION**

This policy was issued on November 25, 2012 after being endorsed by the Board of Directors on November 15, 2012. It applies to all who practice, study, and teach at OMZ and shall be kept on file and freely distributed to all.

# THE PRECEPTS

Students wishing to deepen their commitment to the practice may participate in the Jukai ceremony. Jukai means “to receive the precepts” and is considered a formal initiation into the Zen Buddhist Community. During the Jukai you will affirm your commitment to the precepts, receive the rakusu, which represents the robe of the Buddha, receive the Blood Lineage Chart, which connects you to the lineage of masters who practiced in the past, and receive a Dharma name that captures your unique qualities as a member of our Sangha.

## THE 3 REFUGES

1. May I be one with the Buddha, the Awakened Unborn Mind.
2. May I be one with the Dharma, the teaching of how to awaken.
3. May I be one with the Sangha, those who practice awakening together.

## THE 3 PURE PRECEPTS

1. May I practice not knowing, thereby giving up fixed ideas about myself and the universe. This is ceasing from evil.
2. May I cultivate a life of compassion and wisdom. This is doing good.
3. May I heal myself and then heal others. This is true helping.

## THE 10 GRAVE PRECEPTS

1. May I realize that I am not separate from all that is. This is the precept of non-killing.
2. May I be satisfied with what I have and not take what is not freely given. This is the precept of non-stealing.
3. May I enter all relationships with respect and dignity. This is the precept of chaste conduct.
4. May I listen and speak from the heart. This is the precept of non-lying.
5. May I cultivate a mind that sees clearly. This is the precept of not being ignorant.
6. May I unconditionally accept what each person has to offer. This is the precept of not talking about others' errors and faults.
7. May I not be prideful and blame others for my faults. This is the precept of not elevating oneself and blaming others.
8. May I not withhold spiritual or material aid. This is the precept of not being stingy.
9. May I transform suffering into wisdom. This is the precept of not being angry.
10. May I honor my life as an instrument of the Buddha, Dharma and Sangha. This is the precept of not thinking ill of the 3 Treasures.