



## BOUNDLESS WAY ZEN ETHICS CODE

I vow to cease from evil. I vow to practice good. I vow to save all beings.

### Our Boundless Way Zen Ethics Code in Brief

**Our Ethics and Reconciliation (EAR) Committee** may assist in resolving conflicts as well as pursuing a resolution of more serious complaints. Members of the sangha are encouraged to bring concerns to any member of the EAR Committee for consultation, support, and advice or to file a written complaint if they believe that unethical behavior or misconduct has occurred (p. 2). To contact the EAR Committee email: [bowzethics@gmail.com](mailto:bowzethics@gmail.com).

**Policies** Our Ethics Code includes policies on Confidentiality (p. 2), Relationships and Intimacy (p.2), and Professional Conflicts (p. 3).

**Raising Concerns Informally** When disagreements, conflicts, misunderstandings, and miscommunication occur, it is strongly recommended that the individuals involved seek a resolution through discussion and dialogue. However, when this proves difficult, reconciliation or resolution can be facilitated informally by the EAR Committee (p. 3).

**Making a Formal Complaint** Matters involving significant unethical behavior or misconduct, 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 as a formal, written complaint. The Ethics Code prescribes the procedures (p. 4).

The steps of our ethics code **Procedures** are briefly summarized (p. 6).

**Rationale** Everyone who is invited to leadership as a member of the Leadership Council, practice leaders, priests, assistant teachers, senior assistant teachers, and transmitted teachers within Boundless Way Zen agrees to conduct himself or herself in accordance with this Ethics Code. In addition, Boundless Way Zen members are assumed to be willing to abide by this Ethics Code, as are non-members who are active participants. As such, they are subject to, and may avail themselves of the complaint resolution procedures described herein. There is also a limited provision, for people who do not participate actively to use this process.

Those 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 Precepts. They serve as our guides along the path of right speech, right conduct, and right relationships and provide ethical guidance for our lives. 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. We hope that diligent inquiry, honesty, and compassion will strengthen our sangha and support this important practice into the future.

## The Ethics and Reconciliation Committee

In the course of daily sangha interactions, disagreements, conflicts, misunderstandings and/or unethical behavior can occur. Sometimes the ethical boundaries involved are not obvious or clear. The Ethics and Reconciliation (EAR) Committee is formed as a standing committee of Boundless Way Zen to assist in resolving conflicts as well as to pursue a resolution of more serious complaints. Members of the sangha are encouraged to bring concerns to any member of the EAR Committee for consultation, support, and advice or to file a written complaint if they believe that unethical behavior or misconduct has occurred.

The number and membership of the EAR Committee is determined by the Leadership Council and Guiding Teachers Council and members are appointed by consensus of both. Tenure is for two years and members' terms will be staggered so that there is always at least one member on the EAR Committee serving a second year. No appointee may serve more than three terms consecutively. The names of the EAR Committee members are posted on the Boundless Way Zen website.

## Confidentiality

We understand confidentiality to be a reasonable assumption of privacy. However, 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 assistant teachers and transmitted teachers consult with each other and hold confidentialities 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 to a member of the EAR Committee, one should not expect these things to be held in secret. As prescribed in this Ethics Code, the matter will be brought to the attention of the whole EAR Committee. Also, as described below, the Guiding Teachers Council or Leadership Council may be consulted regarding a complaint.

## Relationships and Intimacy

Our practice is one of intimacy. It can be warmhearted and close. Relationships between teachers and students, as with therapeutic relationships, can involve powerful conditions including projection, transference and counter-transference. In addition, there are the complexities found within the power differential that exists between a teacher and a student. With these various circumstances it may be tempting to cross a line from spiritual intimacy to romantic or sexual intimacy. Romantic or sexual relationships tend to confuse the other aspects of the particular kind of intimate interaction necessary for a successful teacher and student relationship.

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 assistant 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 assistant 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 may assist 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 about conflicts of interest, it is appropriate to bring these to a member of the EAR Committee.

### [Raising Concerns](#)

We are human and so contain within our hearts and minds 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. This informal approach is strongly encouraged as a first step. Sometimes this doesn't feel comfortable or right, or perhaps, even safe. If so, a process is in place to guide the way toward reconciliation and/or resolution. Should an ethical concern arise, the sooner one can consult the EAR Committee, the better.

An EAR Committee member will immediately inform the other EAR Committee members whenever any matter of concern or a complaint has been brought to them. Details of such matters will be handled with discretion as far as possible within the guidelines of the informal and formal procedures.

## [Informal Procedure](#)

When disagreements, conflicts, misunderstandings, and miscommunication occur, it is strongly recommended that the individuals involved seek a resolution through discussion and dialogue. However, when this proves difficult, reconciliation or resolution can be facilitated informally by the EAR Committee.

A first step may involve a meeting between the member with a concern and a single member of the EAR Committee, who will first offer a listening ear and counsel. Through this conversation matters are sometimes clarified and resolved. Perhaps additional consultation with the full EAR Committee may be helpful.

If a satisfactory resolution of the concern is not possible through consultation, the EAR Committee may offer to facilitate a dialogue between the parties. This could involve a face-to-face meeting of the parties with one or more members of the EAR Committee.

If consultation or dialogue between the parties is not possible or does not lead to a satisfactory resolution in a timely manner (typically no longer than 45 days), the EAR Committee may decide to conclude the informal procedure. Thereafter, one or more of the parties involved may choose to engage the formal procedures discussed below.

Because this informal procedure is strictly optional and is not intended to be used in cases of alleged unethical behavior or misconduct, no records, minutes, or notes of the discussions or activities involved will be maintained by Boundless Way Zen.

## Formal Procedure

Matters involving significant unethical behavior or misconduct, 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 as a formal complaint. Formal complaints must be submitted to the EAR Committee in writing. The complaint must be signed and dated by the complainant and should describe the alleged behavior, a history of any attempts to resolve the matter informally, and a general statement about the desired consequences. Typically, formal complaints cannot be made on behalf of another person or persons, but only on behalf of oneself. Anonymous complaints will not be accepted.

The following are exceptions in which a complaint may be submitted that does not concern oneself. Anyone aware of the following matters should bring them to the attention of the EAR Committee immediately by submitting a formal written complaint: misappropriation of funds, gross 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.

This formal procedure is for the broad community engaged in Zen practice with Boundless Way Zen. Therefore, a non-member who is an active participant in BoWZ activities may use this process. The EAR Committee will determine whether or not a complaint by a non-member who is not involved directly in the life of the sangha, should be addressed.

When a formal written complaint is received, the EAR Committee has sole responsibility for two specific decisions (by majority vote): (1) determining whether or not the alleged unethical behavior or misconduct has occurred, and (2) if it concludes that unethical behavior or misconduct has occurred, to determine any consequences, excluding sanctions against the transmitted teachers and expulsion from the sangha.

In cases involving transmitted teachers, if the EAR Committee determines that sanctions should be imposed, it will forward its recommendation to the Leadership Council (LC). In cases that do not involve transmitted teachers, if the EAR Committee determines that the consequence should be expulsion, it will forward its recommendation to the Guiding Teachers Council (GTC). Thus, the final decision regarding sanctions against guiding teachers or expulsion from the sangha will be made by either the LC or GTC respectively.

There are many possible consequences to a complaint. While healing and reconciliation is the goal, this is not always possible in a manner that satisfies all parties. Among the possible responses by the EAR Committee are a finding of no unethical behavior or misconduct, suggesting a mediated resolution, 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, expulsion from the sangha, and suspension or dismissal from a leadership or teaching position.

During its consideration of a complaint, the EAR Committee may choose to consult with the Leadership Council and/or the Guiding Teachers Council and may choose to conduct in-person interviews with the complainant and

the individual or individuals who are the subject of the complaint. If the EAR Committee decides that interviews are appropriate it must interview all parties.

A written complaint to the EAR Committee under this formal procedure may be submitted to any member of the EAR Committee. Anyone who submits a complaint with the EAR Committee must be given a written acknowledgment of receipt of the complaint and a copy of the BoWZ Ethics Code within 30 days of the submission of the complaint. The EAR Committee must notify the complainant in writing of its decision regarding the complaint and any consequences within 120 days of submission of the complaint.

In the case of a complaint for which the final decision regarding consequences rests with either the LC or GTC, the EAR Committee will forward its finding and its recommendation for consequences to the appropriate body within 90 days of submission of the complaint and the LC or GTC will notify the complainant of its decision regarding consequences within 30 days of receipt of the EAR Committee's recommendation.

Either party involved in a complaint may appeal an 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. The appeal must be made in writing. The LC must meet to consider an appeal and a 2/3rds vote is required to grant an appeal and overturn a decision of the EAR Committee. The LC must notify the individual making the appeal within 45 days of receipt of the appeal. An EAR Committee member or members should be present at this LC meeting for clarity of understanding, but have no vote on the matter.

The complaint and related documents, including its written decisions, will be retained by the EAR Committee for such period as it considers appropriate. The EAR Committee must create minutes of its meetings during which the complaint is discussed and these minutes will also be retained by the Committee.

## Procedures Outline

### Informal Procedures (optional):

- Discussion and dialogue between the parties involved.
- Consultation with a member or members of the EAR Committee.
- A meeting between the parties involved facilitated by the EAR Committee.

### Formal Procedures:

- A written complaint is submitted to the EAR Committee.
- Within 30 days - the EAR Committee acknowledges receipt of the complaint in writing and provides a copy of the BoWZ Ethics Code to the complainant.
- Within 120 days - the EAR Committee informs the complainant and the subject of the complaint of its decision regarding the alleged conduct and the consequences if any. During this period, the EAR Committee may consult with the LC or GTC and may conduct interviews as specified in the BoWZ Ethics Code.
- In certain circumstances, spelled out in the Ethics Code, a decision about consequences rests with either the LC or GTC. In these circumstances the EAR committee must submit its decision and recommended consequences to LC or GTC within 90 days of receipt of the complaint and the LC or GTC must inform the

complainant and subject of the complaint of its decision regarding consequences within 30 days of receiving the EAR Committee's recommendation.

- In no case will the complainant be informed of the results of the complaint longer than 120 days from the submission of the complaint.
- In the case of an appeal, the Leadership Council must notify the complainant within 45 days of receipt of the appeal.