

Ethical Principles and Procedures for Grievance and Reconciliation



SAN FRANCISCO ZEN CENTER

About This Document

This statement of Ethical Principles and Procedures for Grievance & Reconciliation is comprised of two separate but closely related documents. The first, Ethical Principles of San Francisco Zen Center, reflects our best understanding of how the precepts inform our community life together. The second, Procedures for Grievance and Reconciliation, which outlines guidelines for resolving conflicts and transgressions within the San Francisco Zen Center community, is currently undergoing review and revision.

In the interim, the Ethics and Reconciliation (EAR) Council remains responsible for advising on ethics and reconciliation and assisting in the resolution of disputes. The EAR Council, under the direction of the Central Abbess, is authorized to make use of whatever processes and procedures it deems appropriate to resolve disputes and grievances and restore harmony within the community. The contact information for the EAR Council is below in this document.

The EAR Council
ear@sfzc.org
(415) 506-7904

Table of Contents

Ethical Principles of the San Francisco Zen Center.....	2
Introduction	2
The Three Refuges	2
The Three Pure Precepts	3
The Ten Essential Precepts	4
Procedures for Grievance and Reconciliation.....	9
Introduction	9
Basic Guidelines for Resolving Conflicts and Disagreements.....	9
The Ethics and Reconciliation Council.....	11
Resolution of Conflicts	12

American Precepts have two sides. One is the negative prohibitory side, and the other is generating our spirit - something good or positive. The positive side is called shuzen bugyo - to do something good - and the negative side is shoaku makusa. Shoaku makusa is to do no evil. There are these two sides. I think we will naturally need some way of life as a group. It may be difficult to set up all at once, but if we try hard, we will find our precepts which include both sides. This is a very important point in practice, for our practice to help others and to help others to help themselves.

Having our own way of life will encourage people to have a more spiritual and more adequate way of life for themselves. We must study our way not only for ourselves, but for all people. It is something which we must create or establish starting from our own situation as it is, because our rules are actually for ourselves, as human beings. As a Chinese, Hyakujo established monastic rules called Hyakujo Shingi, and as Americans, I feel, we must establish an American shingi. I'm not saying this jokingly. I'm pretty serious, but I don't want to be too serious. If you become too serious you will lose your way. On the other hand, if we're playing games with it, we will lose our way. So little by little, with patience and endurance, we must find our way for ourselves.

- Suzuki Roshi, 1969

Ethical Principles of the San Francisco Zen Center

Introduction

The community life of Zen Center is an integral part of our practice and is based on the sixteen bodhisattva precepts. In order to help create a supportive, harmonious and safe environment within our sangha for everyone's practice, we have here outlined the significant ways in which these precepts guide and inform our community life.

The sixteen Buddhist precepts are so intimate a part of Zen practice that they have traditionally been called the "blood vein" of the ancestral lineage. The precepts can be understood and interpreted at many levels. They can be understood as supports for the practice of awakening, as the arena of that practice, and as the expression of awakening itself. While Mahayana precepts are sometimes understood from relative and sometimes from absolute points of view (for example, that the precepts are never fully accomplished or that they are always fulfilled), no Zen practice can exist without basing one's actions on the sixteen bodhisattva precepts.

We note, however, four caveats that will aid in understanding the intended scope of this statement. First, these principles have been developed in response to specific historical problems and concerns which have arisen in the sangha. As our community changes and evolves, it may be necessary to modify or add to these principles. Second, this statement does not attempt to cover questions of personal conduct that do not have a direct bearing on the community. Third, these principles are not intended to limit our understanding or to be a definitive reading of the precepts. Fourth, these principles do not supersede specific practice center guidelines; rather they are intended to complement and support them.

The Three Refuges

The Three Refuges represent the foundation and orientation of our bodhisattva life.

We take refuge in Buddha

In taking refuge in Buddha, we acknowledge the Buddha Nature of all beings. While there are different levels of religious and administrative authority within Zen Center, the sangha recognizes that fundamentally everyone is equally the expression of Buddha Nature.

We take refuge in Dharma

In taking refuge in Dharma, we acknowledge the wisdom and compassion of the bodhisattva way of life. It is through this Dharma that we embody, express and make

accessible the teachings of the Buddha as conveyed to us through the lineage of the Soto Zen School by the founder Shunryu Suzuki Roshi and other teachers. Realizing that our understanding and practice of Buddhism is one of many approaches, we also acknowledge and respect all other expressions of the Dharma.

We take refuge in Sangha

In taking refuge in Sangha, we acknowledge the central role that Zen Center community life has in our practice. Because part of taking refuge is the offering of refuge, we aspire to create an inclusive environment for everyone's engagement in the Bodhisattva Way. When our diversity appears to separate us, our practice is to engage in a careful process of recognizing, understanding, and appreciating our differences. In so doing, we affirm and respect our differences and similarities in gender, age, race, ethnicity, sexual orientation, political belief, and physical abilities and appearances.

In creating an inclusive sangha, it is essential that we encourage open, ongoing communication among all residential and non-residential sangha members, and that any ethical concerns or conflicts which arise are fully heard and addressed by the Zen Center community in an appropriate forum. To facilitate this, Zen Center members are encouraged to study the religious and communal contexts, reasons, and limits for authority and decision-making at Zen Center.

The Three Pure Precepts

The Three Pure Precepts are inseparable from the bodhisattva practice taught at Zen Center. They represent the aspiration of every bodhisattva.

To do no evil

To do no evil means to refrain from causing harm to oneself, to others, to animals, to plants, to the Earth, to the waters and to the air.

To do good

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

To save all beings

To save all beings means to offer people the opportunity to discover and express their awakened nature. In creating this opportunity we recognize the importance of maintaining a balance between an individual's negotiation of the Way and Zen Center's

collective religious and institutional needs. When there is a perceived conflict between these, the process of open communication and clarification is a practice of "saving all beings."

The Ten Essential Precepts

The Ten Essential Precepts are inseparable from both Buddha Nature and our relations with each other. They are the strands of Indra's Net.

1. A disciple of Buddha does not kill but rather cultivates and encourages life.

This precept expresses the bodhisattva's intent to live compassionately and harmlessly. When understood in its broadest context, not killing can also be understood as not harming, especially not harming the body or psyche of another. Thus, physical violence and abusive behavior (which includes physical threats, extreme displays of anger and maliciousness) are a kind of "killing." In cultivating life we encourage open inquiry into and discussion of the Dharma and into the sources of religious and institutional authority at Zen Center.

In keeping with the aspiration of harmlessness, all firearms and other weapons designed principally for taking life have no place within Zen Center practice places.

We also acknowledge our role, either directly or in complicity with others, in the killing of other forms of life. As a sangha, when institutional questions of killing animals, plants and insects arise, we must carefully consider our real needs and our bodhisattva-inspired responsibilities to work for the benefit of all beings.

2. A disciple of Buddha does not take what is not given but rather cultivates and encourages generosity.

This precept expresses the bodhisattva's commitment to live from a generous heart rather than from an avaricious mind. At a personal level, avaricious behavior harms the person who steals; on a community level, stealing can harm or even destroy the opportunity and the environment for Zen practice. Those who handle sangha funds or other assets also have a special responsibility to take care of them and avoid their deliberate misuse or misappropriation, both of which are institutional forms of stealing.

In addition, we recognize that the misuse of authority and status is a form of taking what is not given. Within the complex life of the sangha various hierarchical levels of authority and seniority play a role in some situations and not in others. It is particularly important that individuals in positions of trust do not misuse their

status or authority as a way to achieve special privileges and consideration or otherwise control or inappropriately influence others.

3. A disciple of Buddha does not misuse sexuality but rather cultivates and encourages open and honest relationships.

The Zen Center sangha recognizes that sexuality is as much a part of the field of practice as any other aspect of our daily lives. Acknowledging and honoring our sexuality is part of creating an environment where conscious, mindful and compassionate relationships can be cultivated.

Special care must be taken when people of unequal status or authority enter into a sexual relationship. In particular, there are two forms of relationships which can lead to great harm and confusion. Therefore both are considered a misuse of sexuality within our community.

First, it is considered a misuse of sexuality for an adult within Zen Center to engage in sexual behavior with anyone at Zen Center who is a minor. Full responsibility for avoiding such relationships lies with the adult.

Second, it is considered a misuse of authority, responsibility and sexuality for a Zen Center teacher to engage in sexual behavior with his or her student. If a teacher and/or student feel at risk of violating this guideline, they should suspend their teacher-student relationship at least until they have sought counsel with a senior Zen Center teacher. Furthermore, it is considered a misuse of sexuality for a teacher at Zen Center to form a sexual relationship with a former student within six months of the termination of the student-teacher relationship.

Before forming a sexual relationship, all Zen Center priests, head students, or other persons in a formal role that entail clear advantages of influence in relationship to others should discuss the appropriateness of the potential relationship with a teacher or practice leader.

Particular care must be shown toward new students. We have learned that it takes about six months for a new student to establish the foundation of his or her practice and to understand the complex nature of inter-relationships within the sangha. In order to protect a new student's opportunity to practice, we expect anyone who has been at Zen Center longer than six months to consult with a practice leader about a potential relationship with a new student during the first six months of the new student's residency at Zen Center.

Everyone coming to Zen Center in any capacity has the right to be free from sexual

harassment. Continued expression of sexual interest after being informed that such interest is unwelcome is a misuse of sexuality.

4. A disciple of Buddha does not lie but rather cultivates and encourages truthful communication.

The precept 'not to lie' is particularly important for the community life of a practicing sangha. While ethical transgressions can involve any of the precepts, many of these difficulties would not arise were there not an element of deceit involved. Lying to oneself, to another or to one's community obscures the nature of reality and hinders the intention of bodhisattva practice. Within our community life, lying can also entail the deliberate withholding of information.

Open and direct communication is essential in our work and practice together. We are each entitled to straightforward, complete information when we request feedback regarding our behavior, standing, or performance within the community. We can expect, upon request, for this to be given by appropriate persons in the spirit of honesty and compassion.

Students at Zen Center should feel that they can carefully explore the Dharma and study the self in an atmosphere of trust. Zen Center teachers and practice leaders shall not disclose information they receive in dokusan or practice discussion when confidentiality is requested and agreed to, unless serious harm may result to individuals or to the sangha if the information is not disclosed. Even when there is no specific request for confidentiality, such information is not to be shared casually under any circumstances by either of the people involved in the conversation. In the collaborative teaching process at Zen Center, however, consultation among teachers regarding matters that are not strictly confidential may be appropriate, particularly where residential students are involved. All those who engage in such consultations should make every effort to ensure it is done in a sensitive, fair and respectful manner.

5. A disciple of Buddha does not intoxicate self or others but rather cultivates and encourages clarity.

Bodhisattva practice occurs within the context of clear presence and mindfulness and a state of mind that is not conditioned by intoxicants of any sort. When enough clarity is lost it is all too easy to break the other precepts. Furthermore, it is our intention for Zen Center to be an environment that supports those who are attempting to live without intoxicants.

Therefore, alcohol or drug intoxication within Zen Center is inappropriate and is cause for concern and possible intervention. When any resident of Zen Center 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 and he or she is expected to seek help with the counsel of a Zen Center practice leader. Because denial is frequently a symptom of addiction, the sangha is encouraged to help addicted persons recognize the need for help.

6. A disciple of Buddha does not slander others but rather cultivates and encourages respectful speech.

This precept arises from a bodhisattva's efforts to build social concord and understanding. False and malicious statements in and of themselves are acts of alienation from oneself and others. The consequence of slander is often pain for others and divisiveness in the community. Where the intention to slander does arise, the effort to understand its roots is an expression of this precept.

7. A disciple of Buddha does not praise self at the expense of others but rather cultivates and encourages self and others to abide in their awakened nature.

While rejoicing in one's wholesome qualities and deeds is a time-honored Buddhist practice, praising oneself or seeking personal gain at the expense of others arises out of a misunderstanding of the interdependent nature of self. Within the institution of Zen Center it is sometimes necessary to criticize the action of certain individuals or groups; when doing so one should pay particular attention to one's motive and to the specific content of what is said and to whom it is said.

8. A disciple of Buddha is not possessive of anything but rather cultivates and encourages mutual support.

All positions at Zen Center, including that of the abbess or abbot, are for the support of everyone's practice and awakening. Neither the resources of Zen Center nor any position within Zen Center are the possession of any one person. It is not appropriate for anyone, especially a teacher, to use his or her relationship to Zen Center for personal gain or fame at the expense of the sangha or the practice-intention of its members.

In the spirit of non-possessiveness, decision-making bodies at Zen Center should make decisions together in a cooperative and accountable manner, and with a wholehearted effort to consider all points of view. It is particularly important that Zen Center's finances, decision-making structure, and minutes of major decision-making bodies be made available in an accessible and understandable form.

9. A disciple of Buddha does not harbor ill will but rather cultivates and encourages loving kindness and understanding.

The harboring of ill will is a poison for individuals and for the community. Even more corrosive is the harboring of ideas of revenge. Zen Center sangha members having conflicts or tensions with others or with decision-making bodies should attempt to resolve them with anyone directly involved in a spirit of honesty, humility and loving kindness. However, if informal resolution is not possible, mediation should be sought as a way to clarify the difficulty.

10. A disciple of Buddha does not abuse the Three Treasures but rather cultivates and encourages awakening, the path and teaching of awakening and the community that takes refuge in awakening.

As the three treasures are inseparable from one another, awakening informs our practice and our community life, practice informs our community life and our awakening, and our community life informs our awakening and our practice. To abuse any one of the treasures harms the other two. To acknowledge our transgressions, to seek reconciliation, and to renew our commitment to the precepts is the working of Buddha Nature and re-establishes our place in the sangha. When the Sangha is complete the Triple Treasure is manifest.

Procedures for Grievance and Reconciliation

Introduction

We wish our life within the Zen Center sangha to express our Zen practice and bodhisattva intention. As the bodhisattva path is our heartfelt response to suffering, turning away or skimming over suffering through silence, rationalization, assigning blame, minimizing, feeling self-deprecating guilt, or not listening deeply to its causes and conditions are all steps directed away from the bodhisattva path itself. Furthermore, avoidance is a condition for additional suffering.

Thus, when a conflict, grievance, dissonance or violation of the precepts arises in our interpersonal relationships it is essential to attend to it fully. Personally, this involves waking up to our own contribution to the suffering in these situations through understanding our reactions, emotions and attachments. Interpersonally, this involves taking the time to discuss the conflict with the other parties involved in an attempt to clarify the actual causes, conditions, feelings and responses that come together in the situation.

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

Basic Guidelines for Resolving Conflicts and Disagreements

Although no fixed procedures for informal conflict resolution exist, the suggestions and procedures that follow are intended to give all persons involved in a dispute a chance to be fully heard in an environment of respect and kindness that flows from knowing that there is no fundamental difference between us.

1. Stating the Actual

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

2. Being Heard

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

3. Restating What Was Heard

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

4. Confession

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

5. Facilitation

It is often useful to invite one or more neutral witnesses or mediators to take part in a session of conflict resolution. Such a person may simply be a silent witness providing a sense of calm and presence or may be an active mediator who helps ensure that each person is given opportunities to be heard. This person might also point out the difference between statements of opinion and interpretation and direct statements of how an event or feeling was or is actually experienced. Invited facilitators can be anyone whom both parties respect; e.g., friends, neutral acquaintances, Zen Center practice leaders, directors, members of the Ethics and Reconciliation Council or people within or outside of Zen Center who are trained in mediation.

6. Seeking Advice

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

The Ethics and Reconciliation Council

The Ethics and Reconciliation (EAR) Council has four functions:

1. Stewarding conflicts by providing advice and consultation to anyone with concerns about the ethics of their own or another's conduct.

The EAR Council is available to help frame the issues of concern, provide information about possible avenues of conflict resolution, and to explain the normal administrative and temple channels for appealing decisions. The Council will maintain confidentiality concerning such consultations (except when disclosure is required by law).

2. Informal resolution of conflicts through mediation and principles of restorative justice

3. Investigations related to complaints.

Complaints concerning violations of Zen Center's "Harassment Policy" and other serious misconduct, that have not been resolved by the senior leadership of the temple at which they originate, are first investigated under the direction of the Director of People Development.

4. Education: suggestions for community-wide and task specific trainings

The EAR Council created a resource notebook which is available for the residents of the three practice centers.

Membership of the Council

The membership of the council shall consist of seven members appointed by the Zen Center Board of Directors upon nomination by the Central Abbess. The Board has the option to appoint up to two people to the Council from outside the Zen Center membership. Otherwise members of the council must be voting members of Zen Center. The Board selects the chairperson.

Terms of Council members will be three years, staggered so that two or three new members are appointed each year. Effort shall be made to have the Council membership represent the diversity of the Zen Center membership, including at least one person from each practice center. All members of the Council must have mediation training either prior to joining the Council or provided by Zen Center soon thereafter. Members may only serve two consecutive terms at a time.

Resolution of Conflicts

Residents and other members of the community are strongly encouraged to try, to the fullest extent possible, to resolve their conflicts, disputes and complaints directly, with the help and participation of practice place directors and other staff, work supervisors, tantos, and practice leaders. However, there are times when informal attempts at reconciliation and the normal administrative and temple channels for resolving conflicts and complaints have been exhausted or are inappropriate and a more formal conflict resolution process may be needed.

In September, 2014, the Board of Directors of the San Francisco Zen Center ordered a review and comprehensive revision of Zen Center's conflict resolution processes, with the goal of (among other things) putting in place a fair and workable procedure for providing a final resolution of disputes. In the interim, the EAR Council remains responsible for advising on ethics and reconciliation and assisting in the resolution of disputes, and is authorized to make use of whatever processes and procedures it deems appropriate to resolve these matters and restore harmony within the community. In addition, there remains in place a procedure for addressing instances of serious misconduct (for example, sexual or racial harassment; violence or threats), and anyone who believes that such an instance of serious misconduct has occurred should contact both the EAR Council and the Director of People Development.

The EAR Council can be contacted at ear@sfzc.org and at (415) 506-7904.

The Director of People Development can be contacted at humanresources@sfzc.org and at (415) 354-0378.

"As long as the practitioners hold regular and frequent assemblies, as long as they meet in harmony, depart in harmony and carry on their affairs in harmony, as long as they honor and respect the elders within the sangha, as long as they do not fall under the influence of craving, as long as they preserve their personal mindfulness, so that in the future the good among their companions will come to them, and those who have already come will feel at ease with them, as long as the practitioners hold to these things and are seen to do so, they may be expected to prosper and not decline."

- The Buddha, Parinibbana Sutta

This document can be found at 'R:\ZC EAR\EAR booklet - Feb 2014.docx'