

EAR Committee members: Ty Burr and Christa Clark. Please email Christa Clark at zen.ear.christa@gmail.com and/or Ty Burr at zen.ear.ty@gmail.com to set up a time to speak with either or both of them.

Living Vow Zen Ethics Code

I vow to do no harm

I vow to do good

I vow to save the many beings

We who are given the responsibilities of leadership and teaching within our sangha agree to bind ourselves consciously to a code of conduct inspired by the sixteen bodhisattva precepts that nurtures our community as well as our own individual continuing practice.

All Living Vow Zen members and active participants are assumed to be willing to abide by these codes in general and may avail themselves of the support or formal complaint procedure described below.

Everyone who is invited into leadership positions agrees to conduct himself or herself in accordance with this Ethics Code.

Relationships and Intimacy

Our practice is one of intimacy. It can be warmhearted and close. And relationships between teachers and students, as with therapeutic relationships, usually involve powerful psychic conditions including projection, transference and countertransference. In addition there are the complexities found within the power differential that exists between a teacher and a student. With these various circumstances it can be tempting to cross a line from spiritual intimacy to sexual intimacy. Sexual intimacy between a teacher and a student confuses the other aspects of intimate relationship necessary for a successful teacher-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 life. However, those who teach have additional responsibilities and our covenant includes several commitments regarding sexual behavior.

Any priest, teacher or practice leader who finds a romantic relationship beginning with a member of the sangha should inform the Ethics and Reconciliation (EAR) Committee of this relationship and seek guidance as to the most healthful way to proceed.

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

Professional Conflicts

Many of our members are psychotherapists, coaches, physicians, attorneys, contractors and others who may offer services to other members of our sangha. It is important to be mindful of the complexities that can arise in dual relationships, and while we do not discourage these relationships, we ask all to be mindful of potential abuses. Teachers, psychotherapists, ministers and other professionals are expected to abide by the ethical codes of their professions. Teachers and others in authority have a responsibility to anticipate and avoid potential conflicts of interest. All matters of a financial nature among members of the sangha should be engaged in with open hearts and clear heads. If there are questions or concerns it is appropriate to bring these concerns to a member of the EAR Committee.

Confidentiality

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

A central part of our practice is spiritual direction. There is a right to a reasonable sense of confidentiality regarding what is said in dokusan or similar interviews. However, it is the practice of this community that practice leaders and teachers may 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 among members, one person should not be expected to hold these things in secret. The matter may be brought to the EAR Committee. As is appropriate and as described here, these complaints or concerns may be forwarded to the Teachers or the Board of Trustees.

Seeking Informal Support

Maintaining the wellbeing of the sangha is the mutual responsibility of all its members. Ideally we can approach one another directly and speak of any concern that may arise. We strongly encourage this as a first step.

Sometimes this doesn't feel possible. If so, a committee is in place to hear and respond to concerns. If you feel that ethical guidelines are not being observed, Living Vow Zen members and participants may bring those concerns to a member of the Ethics and Reconciliation (EAR) Committee.

Ethics and Reconciliation Committee Members will be appointed based on their strong listening skills; related experience (such as work in ethics, therapy, human services, and/or law); and demonstrated common sense. The number and membership of the EAR Committee is determined by the Board of Trustees. Tenure is for three years. After an absence from the EAR Committee for a year, a person may be reappointed.

In the course of daily sangha interactions, disagreements, conflicts, misunderstandings and unethical behavior can occur. Often the ethical lines will not be obvious. The Ethics and Reconciliation (EAR) Committee is formed as a standing committee to assist in the process of clarification as well as to pursue more serious allegations.

Your questions will be taken seriously and examined according to a principled and confidential process. We hope that diligent inquiry, honesty, compassion and openness will strengthen our sangha and support this important practice into the future.

Any member of the sangha is encouraged to bring concerns to any member of the EAR Committee for consultation, support, and advice if direct discussion with the person involved has been unsuccessful at reaching resolution. Sometimes a meeting with a single member of the EAR Committee will prove sufficient. This can be an opportunity to air a concern, and in that conversation often matters are made clear.

If after initial consultation a concern remains unresolved, the lack of resolution should be communicated to an EAR Committee member who will inform the other EAR Committee members of matters of concern which have been brought to them. Details of such matters will be handled with discretion. The EAR Committee members will first offer a listening ear and, if requested, counsel.

Secondarily, the EAR Committee will facilitate a dialogue between parties if requested.

In a case involving people other than transmitted teachers, if a dialogue between the parties does not lead to reconciliation, then the EAR Committee may consult with the Teachers, then make recommendations to resolve the dispute.

In the case of an unresolved issue involving transmitted teachers, the EAR Committee may consult with the Board of Trustees President and potentially the Board, then make recommendations. If the involved transmitted teacher serves on the Board of Trustees, that teacher may present their perspective but must recuse themselves from discussions of (and any votes on) suggestions for the EAR Committee. However, the EAR Committee is ultimately responsible for determining recommendations, which are to be decided upon by majority vote within the Committee.

If at the end of an informal process no recommendations are made but one of the participants would like to pursue the issue further, that person may make a formal complaint directly to the EAR Committee. If recommendations are made at the end of an informal process, and if an appeal of the EAR Committee recommendations is desired, it may be made directly to the Board by the formal procedure described below, at which time the EAR Committee members should be present for clarity of understanding but have no vote on the matter.

Formal Procedure

Again, whenever possible, a direct conversation between the parties is best. When it is not possible, then the Living Vow Zen member or participant should bring concern(s) to a member of the EAR Committee.

If the matter can be brought to a satisfactory conclusion through an informal process of facilitated dialogue, this would be the end of the matter. If the matter cannot be resolved informally, or for more serious concerns requesting or potentially requiring a disciplinary response, a formal procedure has been developed.

Some areas that are appropriate for this formal procedure include situations where a member feels another member, leader or any teacher has engaged in significant misconduct or unethical behavior. Matters involving significant inappropriate behavior, inappropriate sexual conduct, abusive behavior, harassment, gross incompetence or the use of position for inappropriate personal gain or exploitation should quickly be brought to the whole EAR Committee. Anyone aware of the following matters should bring them to the EAR Committee immediately: misappropriation of funds, gross and harmful incompetence in leadership or teaching or anything that a therapist or minister would be mandated [by law](#) to report, such as suspected abuse or neglect of a child, an elder, or a disabled person.

Any complaint to the EAR Committee under this formal grievance procedure must be made in writing (may be by email). It may be given to any member of the EAR Committee.

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

Findings

Anyone who registers a complaint with the EAR Committee should be given, or sent a link to, the Ethics Code along with a written acknowledgment of receipt of the complaint.

The EAR Committee has responsibility for determining whether alleged misconduct has occurred and any recommended consequences. Healing and reconciliation is the goal. But there are many possible consequences to a complaint. Serious violations may necessitate interventions possibly including a recommendation to the Teachers, or in the case of transmitted teachers to the Board of Trustees, which may include various sanctions up to dismissal from leadership or teaching within this community.

The EAR Committee should respond to the person who has registered the complaint in writing within 3 months after receipt of the complaint with a statement of its decision and the reason(s) for the decision.

Among the possible responses and recommendations are a finding of no breach, or reparation when possible, or: a mediated resolution; a limited finding acknowledging some breach and forwarding this to an appropriate second party; a reversal of an administrative decision or action; a private and mediated apology; a private reprimand; follow-up meetings with affected parties; a public apology; public censure; a recommendation for psychological counseling or similar program; a period of probation, suspension, or dismissal from the sangha with the exceptions noted below. Any misconduct for which there is statutory mandatory reporting will be reported to the appropriate authorities.

If the recommendation is expulsion from the sangha, the EAR Committee's recommendation will be forwarded to the Board of Trustees who will make the final determination on membership.

Anyone may appeal the EAR Committee's decision to the Board of Trustees, triggering a review by the Board. However, all are 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 or recommendations of the EAR Committee.