

APPENDIX: POLICY CONCERNING ETHICAL CONDUCT, HARASSMENT AND CONFLICT RESOLUTION

INTRODUCTION

The Kannon Do ethical policy rests on the foundation of the personal qualities and behaviors that promote well-being and prevent difficulties in relationship with others and for oneself.

These characteristics include: honesty, selflessness, courtesy, discipline, loyalty, attentiveness, and trustworthiness.

PURPOSE

The purpose of this policy is to help maintain and foster a safe and supportive environment for Zen practice at Kannon Do. This statement discusses the ethical responsibilities of all individuals in the Kannon Do practice community. It also discusses the special obligations of people in positions of trust and or authority. Finally, this statement outlines procedures for addressing any ethical concerns that may arise.

RESPONSIBILITIES OF KANNON DO PARTICIPANTS

A fundamental responsibility to ourselves and the Kannon Do community is to speak to any issue that may undermine the community's integrity. If we notice or experience conduct that we believe is harmful to an individual or the community as a whole, it is crucial that we recognize and express our concerns rather than deny or silence them.

SPECIAL OBLIGATIONS OF INDIVIDUALS IN POSITIONS OF TRUST OR AUTHORITY

All Kannon Do participants, including the Teachers, Directors, Officers and Stewards, are trusted to behave in ways that further the community's well-being. The community expresses its special trust in individuals by placing them in these positions. Exploiting relationships, harming others, or abusing influence breaches this trust, especially when such conduct occurs under the pretense of teaching methods or zen practice.

Examples of misconduct include, but are not limited to, physical violence or threat of violence, misappropriation of community funds, harassment of any kind, sexual relationship between a Teacher and a student, or other unwholesome behavior that threatens to damage the community. Misconduct on the part of those in positions of trust can significantly undermine the community's integrity.

GUIDING PRINCIPLES

The health of our community is not measured by the presence or absence of conflict as much as by our willingness to find effective, responsible, and compassionate means of resolving interpersonal tensions. The intention to attend to and learn from conflict is a clear application of Buddhist practice into our daily lives; without this intention, practice can too easily be a comfort rather than a deep transformative vehicle for our lives.

Buddhist conflict resolution is not based on good or bad, blame or guilt, winning or losing, offenders or victims. Rather it is based on fully addressing the suffering of all concerned. Hurt, fear, and anger are taken seriously through forums in which everyone may speak honestly, safely, and completely about their own direct experiences and feelings. In looking for resolution, Buddhist practice values dialogue over silence, reconciliation over estrangement, forgiveness over resentment, confession over accusation, and atonement over punishment.

Kannon Do strives to provide a place of Zen Buddhist practice and meditation free of harassment, intimidation or exploitation. Where harassment has occurred, Kannon Do will stop the harassment, prevent its recurrence, and discipline and/or take appropriate action against those responsible. Kannon Do recognizes the importance of confidentiality. The Teacher, ombudsman and the Board of Directors are responsible for implementing this policy and will respect the confidentiality and privacy of individuals reporting or accused of harassment to the extent reasonably possible.

Kannon Do prohibits the harassment of its students, members and the public. Prohibited behavior includes, but is not limited to:

- Verbal harassment: derogatory comments regarding another's race, color, age, gender, gender identity or expression, national origin/ancestry, citizenship, political or union affiliation, marital status, pregnancy, disability, or any other basis prohibited by law.
- Physical harassment: hitting, pushing or other aggressive physical conduct, or threats to take such action.
- Prohibited harassment may also occur if a hostile environment has been created that is sufficiently severe, pervasive, or persistent so as to interfere with a person's work performance or participation in Kannon Do activities or for personal gain.
- Sexual Harassment: unwelcome romantic or sexual advances, requests of sexual favors - either implicitly or explicitly suggested - and other visual, verbal or physical conduct of a sexual nature constitutes sexual harassment. Determining what constitutes sexual harassment depends on the specific facts and context in which the conduct occurs.

Sexual harassment may take many forms - subtle and indirect or blatant and overt. For example, it may:

- Be conduct toward an individual of the opposite sex or the same sex.
- Occur between peers or between individuals in a hierarchical relationship.

- Be aimed at coercing an individual to participate in an unwanted romantic or sexual relationship; or it may have the effect of causing an aggrieved individual to change behavior at Kannon Do.
- Consist of repeated actions or may even arise from a single incident if sufficiently egregious.

IF AN ETHICAL ISSUE, HARASSMENT OR CONFLICT ARISES

If an ethical issue, harassment or personal conflict arises within Kannon Do, the concerned party (or parties) should attempt to discuss the issue directly with the party (or parties) whose conduct is questioned. If that party is unwilling to meet, or if they cannot resolve the issue, or if the concerned party believes it is not practical or safe to meet with the other party, the concerned party may consult with either or both of the Ombudspersons. A non-member who is an active participant in Kannon-Do activities may also use this process. In general, this process is for the community. The Ombudspersons can determine whether a complaint by a non-member who is not involved directly in the life of the sangha, should be addressed.

Informal process:

The goal is reconciliation of ethical or personal conflicts and whenever possible a direct conversation between parties as this is often sufficient if done in a skillful manner.

Ombudspersons may be approached whenever a concerned party or parties has an unresolved complaint about another party's behavior, or simply when consultation and support is desired for any reason whatsoever. A concerned party's questions and concerns will be taken seriously and examined according to a principled and confidential process. Often one meeting may be sufficient to clarify and resolve the issues. In rare cases where serious and unresolved misconduct may be a concern, a more formal process may be requested.

Initiation of the Formal Process

A formal grievance process is initiated by communication in writing by completing a formal grievance form which includes the following:

- A clear statement provided in a written letter that a formal grievance process is requested.
- The name of the person(s) whose behavior the complaint concerns
- Factual Description of alleged behavior which provides sufficient detail to allow the ombudspersons to decide whether the complaint is appropriate for initiating a formal grievance procedure. Name of witnesses if any.
- A history of attempts, if any to resolve the complaint through other means.
- A general statement about the resolution desired.

An acceptance in writing must be conveyed within two weeks to the party filing the complaint and the party named in the complaint.

Forming a Grievance Committee

A Grievance Committee will be created consisting of the two Ombudspersons plus a third person selected by the Board of Directors. The third person may not be the Teacher, an ordained priest, a member of the Board of Directors, or an Officer of Kannon Do. This third person may be a professional third-party arbitrator.

Process and Results of a Grievance Committee

Interviews will be scheduled where all parties are given a chance to present their findings on the issue under investigation. Additional information may be requested. These proceedings will be documented. Except for informing appropriate community leaders, the proceedings will be held confidentially for the duration of the proceedings.

At its discretion the Committee may seek non-binding advice from any other source. A decision should be reached by majority vote, and the Committee will reconvene with all parties within two weeks of the decision.

Possible responses include but are not limited to:

- finding of no breach,
- recommend a mediated resolution
- a limited finding acknowledging some breach and forwarding this to the Board of Directors,
- a reversal of an administrative decision or action,
- requirement of (i) a private and mediated apology, (ii) a private reprimand, (iii) follow-up meetings with affected parties, (iv) a public apology, (v) public censure, or (vi) reparation,
- a recommendation for psychological counseling or similar program,
- a period of probation, suspension or dismissal.
- Anyone may appeal the Grievance Committee's decision to the Board of Directors. However, the Board of Directors is expected to work from an assumption that the Grievance Committee has acted in good faith and with due diligence and should not lightly overturn the findings of the Committee.

Conclusion

This document is based upon the work of many communities within the Western Zen Sangha, and in particular it is patterned upon the work of Spirit Rock Center.

As our community changes and evolves, it may be necessary to modify or add to these principles.