

# An Olive Branch

*-a project of the Zen Center of Pittsburgh*

*September 2014*

While *An Olive Branch* is a project of the Zen Center of Pittsburgh, this newsletter is for teachers, leaders, and practitioners of all Buddhist traditions. People from other Buddhist and secular organizations have turned to *An Olive Branch* for help with conflict, ethics, misconduct, and governance training.

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## ***Safer Sanghas, Part Two***

This issue of our newsletter takes up the topic of "safer sanghas" introduced in the August issue. In that issue, we wrote about strong bylaws. [Click here](#) to read the August newsletter.

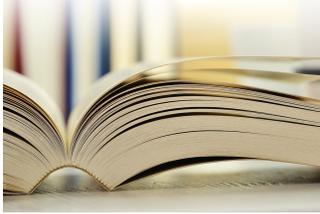
What would be the answer if you faced squarely the question of safety in your own sangha? Do people in positions of power and authority take advantage of others? Are there secrets? Have certain people, who once were active members, been ostracized? Have you turned a blind eye to something you know is wrong?

We are writing a four-part series on safer sanghas; this month's newsletter addresses the second component of a safer sangha: clear policies.

1. Strong bylaws
2. **Clear policies**
3. Solid grievance procedure
4. Training for teachers and students.

In this and the next two issues of our newsletter, we will take up each component to provide guidelines to increase safety in your organization.

## ***Definitions***



Since this month's topic is "policy" and next month's is "procedure," it may be useful to define those two terms and explore the difference between them. They are often heard as one word - "policiesandprocedures" - as if they were the same thing.

Policies are rules developed and adopted by an organization to guide its major decisions and activities whereas procedures are the specific methods used to enact policies in day-to-day operations. Taken together, policies and procedures ensure that a standard held by the governing body of the organization is enforced and implemented.

## ***Our organization is so small, why do we need policies?***

Without policies, decision-making becomes haphazard and inconsistent. Without a policy regarding membership, for example, the door is open for favoritism and exclusion. Without a policy on fees, the board is left to create a new answer for every request for an exemption from fees. Without policies, there is no written record of how things are done, so the organization's business decisions become dependent on the memory - or whim -- of current board members, priests, and other leaders.

## ***Types of Policies***

*The Handbook of Nonprofit Governance* [BoardSource, 2010] identifies eight categories of policies (pages 280-282):

1. Ethics and Accountability. Examples: mission, values, ethics, conflict of interest, diversity/inclusiveness, confidentiality, whistleblower protection, record retention.
2. Role of the Board. Examples: board member agreements, job descriptions, compensation of board members, expense reimbursement.
3. Chief Executive. Examples: job description, performance evaluation, compensation, succession.
4. Finance and Investments. Examples: budgeting, financial controls, audits, IRS Form 990, risk management.
5. Fundraising. Examples: board member fund raising, gift acceptance, sponsorships and endorsements.
6. Personnel. Examples: Equal Employment Opportunity, nepotism, sexual harassment, substance use, complaints, performance review.
7. Communications. Examples: media relations, crisis communications, electronic media.
8. Committee Responsibilities. Examples: governance committee, financial committees, executive committee, advisory councils.



## ***Policies Related to Individual Safety***

The particular policies we focus on in this newsletter are related to 1) ethical conduct and 2) protection for whistleblowers. Ethics policies are sometimes called "Code of Conduct" or "Code of Ethics" and may address many kinds of behavior including fairness, transparency, personal

integrity, and so forth. To be effective, these policies should be promulgated regularly to all members and leaders and enforced by the board.

Since Buddhist organizations in the United States have been plagued by scandal related to sexual misconduct on the part of priests, the remainder of this newsletter is intended to help sanghas establish behavioral expectations before things go awry. Clergy misconduct is devastating, not only for the individuals involved, but for the entire sangha.

## ***Ethics Policies***

Regardless of whether a Buddhist group in the United States is incorporated as a nonprofit organization or organized informally around a single teacher, leaders have a responsibility to establish a community of practice in which students and teachers understand and adhere to an agreed-upon code of conduct. This code should include an ethics policy defining standards of behavior; a whistleblower policy protecting the rights of any person who reports wrong-doing; and a grievance procedure specifying steps to be taken when policies are violated.

The five basic precepts found in all Buddhist traditions provide a useful structure to guide the development of an ethics policy. While stated in various ways in different traditions, the essence is the same:

- \* Abstain from taking life
- \* Abstain from taking what is not given
- \* Abstain from sexual misconduct
- \* Abstain from false speech
- \* Abstain from taking intoxicants.



A sangha's ethics policy should include guidelines for both laity and spiritual leaders. Some topics to cover include appropriate language, appropriate behavior (including sexual relationships and harassment), financial responsibility, and requirements for reporting abuse of minors, elders, and people with mental and physical disabilities.

Policies specific to spiritual leaders include refraining from both psychological and physical harm, acting for the benefit of the member and not oneself, prohibiting sex with members, maintaining confidentiality, informed recognition of power differentials, impaired judgment due to alcohol and drugs, financial responsibility, and mandatory reporting guidelines.

## ***Resources for Ethics Policies***

San Francisco Zen Center, Kwan Um School of Zen, and Zen Studies Society have ethics statements on their websites that readers can reference as examples. Buddhist groups in other traditions may also have ethics statements publicly available. We would be pleased to reference them in future newsletters if readers send the URLs to [info@an-olive-branch.org](mailto:info@an-olive-branch.org).

Please note that most ethics policies (statements) on the Buddhist websites noted above also include procedures for handling complaints. Procedures will be the subject of our next newsletter.

Another easy resource is to search online for "Buddhist ethics statement," "ethics statement," and "ethics statement examples." These last two will provide thousands of secular resources that may be used to expand your sangha's thinking about ethics.

## ***Whistleblower Policies***

A whistleblower policy is necessary to provide protection for individuals who report wrong-doing in an organization. The misconduct can include illegal activity, dishonesty, fraud, corruption, violation of any of the organization's policies, etc.



Whistleblowers can make their allegations within the organization; directly to an external entity such as law enforcement, the media, watchdog agencies, or other groups; or to a neutral third-party.

Sample whistleblower policies can be found online. The sangha's attorney is another source of standard whistleblower language.

## ***Things You Can Do***

### Proactive Tasks for Boards/Leaders/Teachers

- Engage the community in defining misconduct as an abuse of power.
- Understand that it is ALWAYS the teacher's or leader's fiduciary responsibility to maintain ethical boundaries.
- Develop and implement an ethics policy, whistleblower policy, and grievance procedure.
- Post the statements in a visible location in the practice facility.
- Review the policies and procedures annually.
- Provide education for members annually with regard to the code of conduct and conflict management.



### Proactive Tasks for Individuals/Students

- Realize that misconduct can fragment your community and damage your own spiritual and psychological balance.
- Insist that leaders establish ethics and whistleblower policies and a grievance procedure.
- Attend educational sessions regarding the community's code of conduct.
- Understand the protections that the whistleblower policy offers you.

Again and again, *An Olive Branch* has found that organizations without ethics policies and grievance procedures find themselves and their leaders involved in controversy. Now, in both the Soto Zen Buddhist Association and the American Zen Teachers Association, all member teachers must be governed by an ethics policy in their home temple.

### ***An Olive Branch strengthens organizations by helping leaders understand the role of conflict in organizational health.***

- *To proactively address conflict, we offer dispute resolution training and help organizations design ethical governance procedures.*
- *To respond in the midst of disruptive conflict, we provide processes for healing and restoring harmony.*

*An Olive Branch brings the calming influence of a neutral third party, inspired by the tradition of Buddhist teaching that stretches over 2500 years.*

*More information: [here](#).*

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