

White Plum Asanga

Code of Ethical Conduct

[The Process Circle was assigned responsibility for drafting (i) a WPA Code of Ethical Conduct and (ii) a WPA Grievance and Reconciliation Process. The initial draft of both was presented to the Board of the WPA in 2013, sent back for redrafting to address comments of Board members, revised and resubmitted to the Board in early 2014, then presented to the membership at the annual meeting in May of 2014. Following that meeting, and after a review of the draft and receipt of comments from Marie Fortune of the Faith Trust, the Process Circle for yet another time revisited the draft. In those follow-up conversations among the members of the Process Circle, a number of changes were made to the draft to take account of all these comments, as well as to refine the language.

The Process Circle is comfortable that this draft reflects a careful and considered approach to the need for a code of ethical conduct for the entire WPA, as well as for each member sangha. This document also contains a refined set of grievance and reconciliation processes for the WPA's implementation of that code, a model that can be used by individual sanghas. The Process Circle presents both the Code of Ethical Conduct and the Grievance and Reconciliation Process documents to the Board of the WPA for formal adoption.]

We who have been recognized as teachers in the White Plum lineage respect the responsibilities of leadership and of being teachers within our sanghas. We acknowledge our role necessarily gives rise to a power differential in our relationships with students and other sangha members, and for that reason alone, our words and actions can carry great weight. With awareness of this fact, we agree to strive to adhere to this Code of Ethical Conduct as teachers within the White Plum Asanga, a code based on principles of trust, integrity, justice, respect and accountability, in order to nurture an atmosphere supportive of the practice of the Dharma.

We also agree as teachers that we will take steps to assure that individual sanghas promulgate codes of ethical conduct and grievance procedures that are grounded in the principles set forth in this Code of Ethical Conduct and the Grievance and Reconciliation Process. This Code establishes the minimum standards for any individual sangha's code of ethical conduct. Those individual codes should govern the conduct of the teachers and sangha members subject to them. We affirm that as teachers, both we and the individuals who constitute our individual sanghas have primary responsibility to assure that sound ethical principles inform all aspects of practice life. In the event that an individual sangha has yet to adopt its own

code, this Code shall be the applicable standard governing the teacher and members of that sangha.

DO NO HARM.
DO GOOD.
SAVE ALL BEINGS.

1. **Confidentiality.** The relationship between student and teacher often involves the sharing of highly sensitive personal information. Respect for the student and for the relationship requires that teachers maintain such information in confidence. There may be occasions when, for the well-being of specific individuals and of the sangha teachers may need to consult with other teachers or professionals concerning such confidences. On such occasions, teachers should strive to assure that such consultations are maintained in confidence. Despite the foregoing, if a teacher has reason to believe that a student has an intention to harm themselves or others, it is the responsibility of the teacher to inform the proper authorities as provided under applicable law. Each teacher also has an obligation to be aware of the applicable law with respect to reporting crimes disclosed during confidential communications.

2. **Power.** Teachers have an obligation to educate themselves about the subtle power issues that inhere in the teacher/student relationship, as well as the potential effects of that power and its exercise on both teachers and others. Teachers should seek counsel from other teachers and professionals, as appropriate, about the use of power and the harmful effects caused by its abuse. Teachers should also encourage their sanghas to offer training about such issues and their dynamics. Teachers should be especially aware of the potential for subtle abuse of power that may arise in relation to their personal interests.

3. **Right Speech.** Mutual respect is foundational for an environment supportive of sound practice. Such respect is manifested when sangha members treat others with dignity and engage others truthfully and compassionately with a positive intention. Sangha harmony is promoted when the teacher models, and all members observe, the clear mind precepts regarding right speech: refraining from lies, self-serving talk, slander, angry or abusive speech, and apportioning blame.

4. **Self-Awareness.** Teachers should aspire to constant clarity of mind. They therefore have an obligation to engage in self-monitoring and self-care. Occupying the role of teacher can subtly undermine a healthy sense of humility. In turn, a lack of humility can impair one's ability to recognize and live into the fullness of the responsibilities of being a teacher. For that reason, teachers should engage in activities that balance the teaching role with grounding in regular practice and study of the Dharma, leisure, engagement in family responsibilities, and the establishment of a relationship with another teacher with whom they can discuss and reflect on their work as teachers.

5. **Boundaries.** Teachers should not violate trust or use power and/or position for personal gain or self-satisfaction. The ultimate responsibility for maintaining appropriate and clear boundaries between teacher and student always rests with the teacher. When a teacher is asked to act in a capacity that calls for competencies beyond the teacher's expertise, he/she will refer students to those with requisite expertise (e.g., mental health professionals, medical professionals, legal professionals).

6. **Dual Relationships.** Although not all dual relationships are harmful to students or the sangha, they have a significant potential to complicate student/teacher relationships and to undermine sangha harmony. Teachers should be alert to maintain appropriate boundaries and carefully consider the implications and dangers of dual relationships. Examples of dual relationships include romantic relationships, financial relationships, intimate friendships, therapeutic relationships, and professional relationships. Some dual relationships are unavoidable and may be tolerated when managed well through transparency and discussion with sangha members. In the event that a teacher and a student wish to engage in a romantic relationship, the student is encouraged to consider seeking another teacher. Each sangha should have express policies to address dual relationships.

7. **Sexual Conduct.** Because sexual relations between a student and teacher have serious potential for the subtle and overt abuse of power, for disruption of the sangha, and for consequent harm to all individuals and institutions involved, they should be avoided unless the teacher and a student are in a committed and publicly transparent relationship with each other. If a teacher and a student enter a sexual relationship, they should openly declare their relationship to the sangha. The teacher, student, and sangha should then strive for ongoing openness, particularly as respects the potential for this

relationship might cause disruption within the sangha. The teacher has the ultimate obligation to assure that these guidelines are observed.

8. Sangha Code of Ethical Conduct. Teachers will make students aware of this WPA Code of Ethical Conduct and will assure that their individual sanghas have in place both a code of ethical conduct that is no less stringent than this Code, and processes for receiving and dealing with complaints against teachers at the sangha level that to the degree feasible follows the outline of the WPA Grievance and Reconciliation Process. Teachers will also assure that information about both the individual sangha code and processes and those of the White Plum Asanga are made known within their sanghas.

9. Processes. To ensure openness within the sangha, teachers and students will engage in processes, such as council, which utilize horizontal power-sharing and listening and which regularly and openly address ethical issues.

10. Collegial Respect. When a student requests to study with a teacher, the teacher should inquire whether the student has been studying with another teacher and if this is the case, encourage closure wherever possible. When a student changes teachers, the new teacher shall comply with the WPA guidelines for such changes, which are attached. Teachers will not actively recruit students from other teachers.

11. Accountability and Governance. Maintaining the well-being of the sangha is the mutual responsibility of all members and requires active participation in governance by members. Teachers will support the sangha's chosen governance structure and will act to further the goals of accountability and transparency in all areas, including finances, decision-making, and consideration of grievances, including allegations of ethical misconduct.

12. Transparency. Transparency is crucial to maintain balance and harmony within the sangha. Teachers will be alert to potential conflicts of interest with students and other members of the sangha and will act so as to avoid them, and any material conflicts of interest will be disclosed to sangha leadership immediately.

White Plum Asanga Grievance and Reconciliation Process

The White Plum Asanga, as an association of teachers in the lineage of Taizan Maezumi Roshi who have individual sanghas, has adopted this Grievance and Reconciliation Process. Because the local sangha is where ethical issues arise, the individual teacher and the local sangha involved should be where these issues are first addressed and resolved in accordance with the ethical standards adopted by the local sangha. Each local sangha shall have a grievance and reconciliation process that provides for the receipt and consideration of complaints of violations of the sangha's code of ethical conduct and which provides for the exclusion of the person or persons complained of from a decision-making role in the process. Only if a complainant is dissatisfied with the result of the invocation of their local sangha's processes and the application of the local sangha's code of ethical conduct should resort be had to this WPA Grievance and Reconciliation Process.

Summary

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1. Overview

- 1.1. Expressing concerns or filing grievances about the ethical conduct of teachers in the White Plum Asanga shall generally be resolved in accord with a two-step process.
- 1.2. The first step requires that a complainant follow the grievance process of their local sangha, completing in good faith all steps required, and that the sangha complete the process promptly and in good faith, addressing all of the concerns raised by the complaint.
- 1.3. The second step will occur only if a complainant is dissatisfied

with the resolution of their complaint through the process afforded by their individual sangha, or if the local sangha has no grievance process, or that process is seriously flawed. In any such situation, the complainant may invoke the process of White Plum Asanga set out here. In such cases, the substantive standard to be applied to the ethical complaint shall be that of the local sangha, if it has adopted applicable ethical standards. If it has not, then the White Plum Asanga Code of Ethical Conduct shall be the governing substantive standard.

2. The Complaint Phase

- 2.1. The WPA recognizes that concerns over the possible ethical misconduct of a teacher can create confusion and stress, leaving some practitioners wondering whom they might consult for guidance in clarifying issues or determining appropriate possible courses of action. In such cases, it is recommended that a member of the Wisdom Circle or any other member of the WPA be approached for help in determining how best to resolve difficulties with a teacher or with someone else in the local sangha. Such discussions may or may not result in a complaint or grievance.
- 2.2. An informal verbal or written complaint of alleged ethical misconduct by a WPA teacher may be received in any verbal or written form by any member of the WPA. Complaints may be made by
 - those subject to alleged ethical misconduct;
 - sangha members who may not be directly involved in alleged misconduct but claim to have witnessed it; or
 - sangha members who, whether they claim to be subjects of the misconduct or not, feel scapegoated or demonized by a local sangha or by a group within a local sangha.
- 2.3. The person receiving the complaint will carefully inquire as to the type and nature of the alleged ethical misconduct and any information that would support the allegation such as individuals affected, dates and times of significant events, and so on. The person making these initial inquiries shall take care

to maintain neutrality and to avoid statements that establish the guilt or innocence of any party to the complaint.

- 2.4. When the basic outlines of the complaint have been identified, the complaint shall be forwarded to the WPA Board without unreasonable delay, but no later than seven days. Upon receipt of the complaint, the Board shall, within seven days, make an initial determination as to
- whether the local sangha has a procedure for handling such complaints; and
 - whether there has been an attempt to address the complaint according to that procedure.

If the local sangha's procedure has not been followed, then the complainant shall be advised to initiate such a process.

However, if there is reason to believe that

- no procedure at the local sangha level exists;
- the local sangha's process cannot be followed;
- the local procedure is inadequate or seriously flawed; or
- the processes or the resolution that a local sangha has used appear to be unjust;

then the WPA Board shall make an initial determination as to whether the complaint raises serious issues of misconduct that warrant invocation of the grievance process. If such an affirmative determination is made, the Board shall request that the complaint be investigated as a grievance by the Wisdom Circle.

- 2.5. Once the White Plum Asanga grievance process is invoked, it should be completed within three months, unless exigent circumstances require more time. Any delays beyond this presumptive period shall be discussed with and explained to all parties.

3. Purpose and Composition of the Wisdom Circle

- 3.1. Purpose. The Wisdom Circle shall be comprised of five to seven members who are appointed by the WPA Board from

among a pool of eligivble members who satisfy the requirement of paragraph 3.2. It shall be the duty of the Wisdom Circle to investigate complaints and to report its findings to the Board.

- 3.2. Eligibility. Members of the WPA are eligible for appointment to the Wisdom Circle if they have
- received teacher conduct policy training;
 - never been found guilty of misconduct;
 - been deemed by the Board to have no significant relationship* with any other member of the Circle; and
 - been deemed by the Board to have no significant relationship with parties involved in a complaint that is to be investigated by the Wisdom Circle.

*A “significant relationship” as mentioned above includes marriage, domestic partnerships, family relationships, student-teacher relationships, business relationships, or any other relationship that represents, or appears to represent, a conflict of interest that could compromise the objectivity of the Wisdom Circle.

- 3.3. Board members are ineligible to serve on the Wisdom Circle.
- 3.4. The Board shall appoint one transmitted teacher from outside of the White Plum Asanga, provided that the teacher meets all the other eligibility requirements.
- 3.5. One member of the Wisdom Circle shall be designated as the Wisdom Circle’s steward, but other stewards may be determined by the Board as necessary.
- 3.6. Removal. If the Board determines after appointment that a member of the Wisdom Circle is ineligible for service as described above, then that member shall cease service and an alternate member shall be appointed in accord with the eligibility requirements as an interim member.
- 3.7. Re-Appointment. Members of the Wisdom Circle who have ceased service due to ineligibility, may at the Board’s discretion, be re-appointed to the Wisdom Circle if the Board determines that the member has re-established all qualifications

for eligibility as described above.

4. Investigation Phase

4.1. In pursuing its investigation of alleged misconduct, the Wisdom Circle shall observe the following process and guidelines.

4.1.1. Determine Roles and Duties for the Investigation.

Within seven days of the Board's direction to investigate a complaint, the Wisdom Circle will determine a fair division of labor that maintains the efficiency and integrity of the investigation. The Wisdom Circle may also request the assistance of other WPA members who have particular expertise that might facilitate various parts of the investigation.

4.1.2. Request a Formal Grievance from the Complainant.

Unless this has already been delivered by the complainant, the Wisdom Circle shall request a formal written, dated, and signed grievance by the complainant. The complainant should be encouraged to truthfully and accurately report dates, times, places, actions, statements, etc., that are related to the alleged misconduct.

4.1.3. Deliver Notification of Intent to Investigate. Upon receipt of the formal grievance, the Wisdom Circle shall determine who, beyond the complainant and the party complained of, may be a stakeholder warranting notification of the Wisdom Circle's intention to investigate the alleged misconduct. In addition to receiving a copy of the original complaint, this notice may also provide specific details of the alleged misconduct (such as names, dates, actions, or remarks, etc.), summarize how the complaint was handled at the local sangha level, if such is the case, and explain how the alleged misconduct appears to violate the local sangha's ethics policy or the ethics policy of the White Plum Asanga.

The notification of intent to investigate shall address the matter of the cost of the investigation. All costs of the investigation, including reasonable travel and accommodations, should they become necessary, are generally expected to be borne by the local sangha but not by the complainant. However, in the interest of avoiding excessive financial burdens, the Wisdom Circle may develop other arrangements in which the financial burden of an investigation is distributed among the parties to the grievance, and/or paid in installment terms acceptable to the White Plum Asanga Board. The Wisdom Circle shall make every effort to minimize costs without hindering the investigation.

- 4.2. Ensure the Integrity of An Investigation. The Wisdom Circle will ensure the integrity of an investigation and shall maintain, so far as possible,
- confidentiality in all matters pertaining to an investigation by limiting external communications to the parties of the grievance and significant stakeholders in the resolution of the complaint;
 - efforts to assure that neither the respondent's nor the complainant's reputations are unnecessarily impugned during the course of the investigation;
 - the avoidance of medical or psychological diagnosis of behaviors, particularly in written documents;
 - that any recommendations of therapy that might result from an investigation avoid medical or psychological diagnosis, even when members of the Wisdom Circle are doctors or therapists;
 - transparency of its processes by keeping all parties to a grievance regularly informed about the progress of an investigation; and
 - accountability by seeing an investigation through to its end.
- 4.3. Construct a Narrative. Using documents, e-mail, phone or live

interviews, or any other sources of credible information, the Wisdom Circle shall construct a draft narrative timeline that is minimally interpretive and limited to facts surrounding the events that have given rise to the grievance. The narrative shall include differences of interpretation of events that may arise from the differing perspectives of the complainant and the respondent.

Copies of the draft narrative shall be distributed to all parties to the grievance as well as other significant stakeholders (such as local sangha board members). All parties shall be invited to respond to the draft within no more than two weeks of receipt.

- 4.4. Developing a Report on the Investigation. Using material gathered for the narrative, the Wisdom Circle shall prepare a report that includes, at a minimum,
- The narrative timeline;
 - A summary of the ethical questions that arose in relation to possible violations of the local sangha's values statements, code of conduct statements, grievance procedures, governance statements, or similar documents;
 - An overall assessment of the allegations of ethical misconduct; and
 - A clear, concise statement of the outcome of the investigation regarding the alleged ethical misconduct of the teacher.

This report shall be delivered to the WPA Board.

5. Resolution Phase
- 5.1. Within no more than two weeks of receiving the WC's report, the WPA Board shall determine whether the WPA Code of Ethics has been violated.
- 5.2. If the Board determines that there has been a violation of the WPA Code of Ethics, it may take action including, but not limited to, such things as cessation of teaching by the

respondent, dismissal of the teacher from the WPA, restitution for the complainant, and/or public disclosure of the misconduct. Notice of the Board's decision and any action(s) taken shall be delivered to the complainant, respondent, and other key stakeholders.

- 5.3. If the Board determines that no violation of the WPA Code of Ethics has occurred, it may take steps to exonerate the respondent. Notice of the Board's decision and any action(s) taken shall be delivered to the complainant, respondent, and other key stakeholders.
- 5.4. In the event that a complaint is shown to have been substantive, the WPA Board shall initiate a dialogue with the complainant regarding reconciliation through the processes of the Bearing Witness Circle, which the complainant may or may not choose to accept.

6. Follow-Up Phase

- 6.1. Within one year from the date of notification of WPA Board's adjudication of a complaint, the then current WPA President shall follow up with the complainant, respondent, and key stakeholders to ascertain the outcome of the grievance process and, when relevant, any reconciliation process. Results of these inquiries shall be presented to the WPA Board