

NEBRASKA ZEN CENTER

CODE OF ETHICS

Adopted March 23, 2023

At Nebraska Zen Center (NZC), we have committed ourselves to living an ethical life. Central to our practice and vows are the sincere effort to provide a safe and ethically upright Zen center and temple, and to maintain an environment conducive to spiritual practice and to the spiritual development of all who come here to practice. This includes working to mitigate and eliminate barriers based on race, ethnicity, gender identity, religion, political beliefs, socioeconomic class, sexual orientation, age, and ability/disability.

This Code of Ethics sets forth our intentions, principles and standards for fostering a community of practitioners who relate to one another based on compassion, mutual respect and inclusivity.

I. ETHICAL PRINCIPLES: THE SIXTEEN BODHISATTVA PRECEPTS

The principles that guide our actions as Zen Buddhist practitioners are the Sixteen Bodhisattva Precepts, which provide the basic ethical framework for all Zen students and teachers:

THE THREE REFUGES

I take refuge in Buddha.
I take refuge in Dharma.
I take refuge in Sangha.

THE THREE PURE PRECEPTS

First are the precepts of restraint; taking no harmful actions.
Second are the precepts of taking wholesome actions.
Third are the precepts of benefiting all living beings.

THE TEN GRAVE PRECEPTS

1. I vow not to kill but to nurture life. I will live in harmony with all life and the environment that sustains it.
2. I vow not to take what is not given but to cultivate and encourage generosity. I will be satisfied with what I have. I will freely give and accept what is needed.
3. I vow not to misuse sexuality but to be caring and faithful in intimate relationships. I will give and accept love and friendship without clinging; I will honor the body.
4. I vow not to lie but to be truthful. I will refrain from creating the conditions for others to lie. I will see and act in accordance with what is.
5. I vow not to intoxicate with substances or doctrines but to promote clarity and awareness. I will cultivate a mind that sees clearly. I will embrace all experience directly.

6. I vow not to speak of others' faults or encourage others to do so. I will speak respectfully, and acknowledge responsibility for everything in my life.
7. I vow to refrain from elevating myself and blaming others, and from encouraging others to do so. I will not demean myself or others but will manifest my awakened nature.
8. I vow not to cling but to be generous with self and others. I will use all of the ingredients of my life, and refrain from fostering a mind of poverty in myself and others.
9. I vow not to harbor ill will but to cultivate loving-kindness. I will accept negative experiences as part of my practice, and will refrain from creating the conditions for others to be angry.
10. I vow not to do anything to demean the Three Treasures but to support and nurture them. I will recognize myself and others as manifestations of the Oneness of Buddha, the Diversity of Dharma, and the Harmony of Sangha.

II. NEBRASKA ZEN CENTER ETHICAL STANDARDS

While the Sixteen Bodhisattva Precepts are the foundation of Nebraska Zen Center's vows, additional ethical standards and guidelines provide structure and clarity for addressing difficult situations that may arise in the NZC community.

A. Ethical Standards for the Organization

1. NZC will promote integrity, competence, respect for the dignity of all persons, and collegiality among its teachers, members and visitors.
2. NZC commits to make the Dharma accessible to all persons without discrimination, regardless of race, ethnicity, gender identity, religion, political beliefs, socioeconomic class, sexual orientation, age, and ability/disability.
3. NZC will recognize the equality of all persons coming to the Zen Center, and will work to ensure all have an equal opportunity for full participation in the community, education, leadership, and programs.
4. NZC will follow its bylaws, policies, and processes in holding itself and its members accountable to its standards for competency and ethical behavior.
5. If possible, NZC will make appropriate referrals for individuals whose needs exceed those that can be competently handled by NZC.

B. Ethical Standards for NZC Guiding Teachers

“Guiding Teacher” includes any fulltime, part-time, permanent or interim clergy employed by NZC, as well as visiting clergy invited by NZC to teach here.

The Guiding Teacher's relationship with practice students and temple members is founded on deep trust and respect. The authority of the Zen teacher carries with it an increased responsibility to avoid situations and actions that could result in harm to the student, the community, and/or the teacher.

1. NZC Guiding Teacher(s) will:

- a) maintain the confidentiality of the content of their conversations with students, unless to do so would violate the safety and well-being of another individual or be in conflict with the laws or policies of the state, an institution, or NZC;
- b) comply with all state and local laws, regulations, codes and ethical standards applicable to clergy, including mandatory reporting laws, among others;
- c) safeguard property and funds of the Zen center/temple, acting in the best financial interests of NZC;
- d) abide by ordination vows;
- e) maintain an active relationship and good standing with the Soto Zen Buddhist Association (SZBA) at all times; and
- f) strictly comply with the SZBA Code of Ethics.

2. NZC Guiding Teacher(s) will not:

- a) engage in sexual misconduct, including sexual abuse, sexual exploitation, sexual harassment, sexual innuendo, or any pattern of behavior that would be perceived as sexual misconduct;
- b) use or dispose of funds or assets that belong to NZC without an express written statement of a reasonable basis for the disposal, and the express approval of the Board of Directors;
- c) commit criminal offenses (excluding actions of civil disobedience);
- d) engage in dishonesty, fraud, deceit, or misrepresentation;
- e) engage in Harmful Conduct, whether or not specifically described in this policy.

C. Ethical Standards for All Sangha Members

For purposes of this Code of Ethics, “Sangha Members” refers to all persons associated with the business and spiritual practice of NZC, including teachers, NZC members, students, volunteers, staff, visitors and all other individuals engaging in Buddhist practice at NZC.

1. Integrity

- a) Sangha Members should not misuse status or authority to achieve privileges or other consideration or to inappropriately influence others.
- b) If they become aware that another individual is engaging in inappropriate conduct or otherwise in violation of this Code of Ethics, Sangha Members should take steps necessary to protect the community and individuals, in accordance with Article III -- Conflict Resolution and Grievance Procedures, unless exigent circumstances required more urgent action.
- c) Sangha Members who recognize that their own behavior may cause harm in the NZC community should take appropriate steps to correct or mitigate the issues, including honest communication with

appropriate individuals including the Guiding Teacher, and seeking internal or external counsel and guidance.

2. Privacy and Confidentiality

- a) Sangha Members should treat the content of all spiritual and personal conversations with appropriate discretion, except where disclosure may be required by law.
- b) Matters discussed in individual meetings with a Guiding Teacher (practice meetings or dokusan) are considered private. The Guiding Teacher has a duty of confidentiality regarding such matters, subject to mandatory reporting requirements that apply if the Guiding Teacher is told of or suspects physical, emotional or sexual abuse, or imminent danger to or from the individual. A Guiding Teacher may consult with others and share information about students, including what comes up in dokusan, when in their judgment doing so is in the best interests of those concerned. This may include talking with or seeking guidance from clerical colleagues about a student, or about the practice of a student, especially if that student intends to train with the colleague.

3. Fiduciary Responsibility

- a) All funds donated to NZC, earned by NZC, held in NZC accounts, and all personal or real property donated to NZC or purchased with NZC funds are the property of NZC.
- b) Sangha Members must provide accountable and transparent stewardship of NZC funds and assets.
- c) Sangha Members may not mingle personal funds of any kind with NZC funds.
- d) Sangha Members may not dispose of NZC funds and assets except as permitted by the NZC Bylaws, with Board approval and input from the Sangha as appropriate.
- e) Individuals who improperly use discretionary funds for personal use may be subject to income tax reporting requirements as well as civil and/or criminal penalties.

4. Harmful Conduct

- a) Harmful conduct from any Sangha Member violates the spirit and practice of right conduct and seriously undermines the well-being of the NZC community. Each Sangha Member is expected to take actions necessary to address one's own harmful conduct as well as others.
- b) Harmful conduct may include both criminal conduct, meaning any violation of law, and misconduct, meaning physical assault, abuse of power, malicious gossip, inappropriate sexual relationships, sexual harassment, bullying, and written, verbal or electronic abuse, among others.
- c) Certain forms of misconduct are particularly harmful and Sangha Members must actively work to address any of these behaviors.
 - i. Abuse of power by teachers, senior students and staff. NZC puts its trust in individuals who are in positions of authority and regards any violation of this trust as particularly harmful. Exploiting relationships, harming others, or abusing influence breaches this trust, especially when such misconduct occurs under the pretense of teaching methods or Zen practice. Examples of misconduct may include crossing sexual boundaries, emotional and psychological manipulation, and misuse of NZC assets. Misconduct by those in positions of trust can destroy the community.

- ii. Substance Abuse. The presence or use of illegal drugs on NZC property is prohibited. Any person who comes to the Zen Center high or mentally impaired due to the excessive consumption of a substance (including alcohol), will be asked to leave.
- iii. Sexual Harassment. Sexual harassment is especially disruptive and damaging to individuals and to the well-being of the Sangha. Sexual harassment is defined as any unwelcome sexual advance or other verbal or physical conduct of a sexual nature that is unwanted. Sexual harassment of any kind will not be tolerated at NZC and anyone experiencing or witnessing it should report it.

5. Addressing Harmful Conduct.

- a) Conflict Resolution and Grievance Procedures. We are committed to working through conflicts and difficulties that arise from violations of right conduct. Conflict Resolution and Grievance Procedures set forth in Article III provide guidelines and procedures for resolving such conflicts and difficulties.
- b) Sangha Members who bring conflicts to be addressed through the Conflict Resolution and Grievance Procedures will not be subject to reprisal in any form and will be expected to participate in the resolution process.
- c) The precept “Do Not Talk about Others’ Errors and Faults” can inappropriately be used to evade our responsibility to report misconduct or attend to problems in the Sangha. Not speaking up when conflict, misconduct or criminal conduct has occurred is a serious evasion of responsibility. On the other hand, gossiping about others’ problems makes it harder for the parties directly involved to resolve their issue.
- d) Notification and discussion of violations of right conduct shall be limited to those with a bona fide “need to know.” Where a problem potentially affects the whole Sangha, it will be the responsibility of the Ethics Committee to call a meeting of the Sangha to discuss the issue(s) in an expeditious manner.
- e) Atonement.

Anyone who violates right conduct is expected to admit their error and to make every effort to realign their conduct with the precepts and to take the action(s) necessary to restore the harmony of individual relationships and of the Sangha. Such atonement is an integral part of right conduct.

Atonement can take many forms, including but not limited to person-to-person apologies, public acknowledgement, letters of amends, financial restitution, and acts of service as amends. The formal practice of atonement is held regularly at NZC in Ryaku Fusatsu ceremonies and Sangha Members are strongly encouraged to make this an ongoing practice.

III. CONFLICT RESOLUTION AND GRIEVANCE PROCEDURES

A. Formation and Purpose of the Ethics Committee

The NZC Board of Directors will form the Ethics Committee and appoint two or more members, each serving a three-year term. The Ethics Committee will include at least one member who is a Director. The names and contact information of the committee members will be identified on the NZC website and posted in the Zen Center.

The purpose of the Ethics Committee is to facilitate the resolution of disagreements, complaints, and grievances. Ethics Committee members are available to receive complaints of conflict, misconduct and criminal conduct.

Sangha members are encouraged to bring concerns to any member of the Ethics Committee for listening, reflection and guidance. It is the purpose of the Ethics Committee to empower voices, to ensure that people have their issues heard to their satisfaction.

The Ethics Committee's duties also include familiarizing the Sangha with these Conflict Resolution and Grievance Procedures and providing the necessary education on related issues. It is the responsibility of all Sangha members to respond to the Ethics Committee's efforts and become familiar with these procedures.

B. Who Can Use This Process

In general, this process is available for any NZC Sangha Member, as defined in the Code of Ethics. This includes non-members who are active participants in NZC activities, such as participants in an introductory class, guest practitioners, etc. The Ethics Committee may determine in its discretion whether any other individuals can use these procedures.

C. Conflict Resolution Procedure

Conflict is a normal part of human behavior. It is natural, inevitable, and unavoidable. From the perspective of Zen practice, conflict presents an opportunity for personal growth and can function as an impetus for awakening and transformation.

Conflict refers to unaddressed ongoing interpersonal disagreements, slights, and situations where individuals are negatively affected. All parties to a conflict are asked to engage in deep self-inquiry and to take the following steps to address the situation:

Step One: Go directly to the person(s) involved. We encourage people to speak directly to each other, preferably face-to-face rather than through email or other indirect communication. In some cases, physical or psychological threat may render face-to-face interaction inappropriate without support.

When speaking directly is inappropriate to the situation or when attempts at speaking directly have been unsuccessful, ask for help from a teacher, a senior student, or an Ethics Committee member. You will be supported and guided in discernment and in the next steps.

Step Two: Facilitated meeting. In a situation where a facilitator is necessary, the Ethics Committee will help the parties involved choose an appropriate facilitator. All parties to the conflict should make every effort to agree on the choice of facilitator and method of facilitation (e.g., council, conversation, mediation) before proceeding. If the parties cannot come to agreement, the Ethics Committee will appoint a facilitator and a method of facilitation. Effort should be made by all parties to move forward to a satisfactory resolution or dissolution of the problem.

Step Three: A formal, written grievance. For the process of filing a formal grievance please see the “Procedure for Addressing Misconduct” section below.

D. Grievance Procedures

1. Confidentiality

Anyone bringing forward a grievance is assured that information concerning people and situations is confidential, unless otherwise required by law. “Confidential” means that names and situations will not be disclosed in ways that will make identities known. The privacy of individuals concerned will be respected. Teachers may discuss an issue or person that presents a situation requiring their discernment.

2. Categories of Harmful Conduct

The NZC Code of Ethics defines two categories of harmful conduct:

“Criminal Conduct” refers to any violation of the law.

“Misconduct” refers to serious violations of right conduct. Examples include untreated addiction, abuse of power, malicious gossip, inappropriate sexual relationships, sexual harassment, bullying, and written, verbal or electronic abuse.

3. Procedure for Addressing Criminal Conduct

- a) Reporting: Victims of a criminal offense or any Sangha member who witnesses or becomes aware of a criminal offense should report it to the proper authorities. (This could mean calling 911, or reporting to the police, the proper civil authorities, and/or those licensing bodies that govern that person’s profession.) A member of the Ethics Committee should be notified immediately.
- b) Ethics Committee action: The Ethics Committee will
 - i) Inform the Membership/Sangha as appropriate.
 - ii) Address what the impact will be on the accused in terms of Zen Center participation. If there is suspension or termination, the Ethics Committee will follow the procedures as outlined in the Misconduct section pertaining to these areas.

4. Procedure for Addressing Misconduct

a) Reporting Misconduct.

If misconduct is observed or experienced and you do not feel that you can address it on your own, report the misconduct to a member of the Ethics Committee. The Ethics Committee member who receives the initial complaint will listen, help assess and discern the situation, review the procedures set forth in this document, and act in accordance with these procedures.

For any situation concerning misconduct by the Guiding Teacher or other member of the community in a key leadership role, the Ethics Committee is encouraged to consult with an outside organization or person with expertise on the matters in question.

b) Filing a Formal Grievance

If you wish to file a formal grievance, the Ethics Committee member you contact will guide you through the Written Grievance Procedure. You may meet with the Ethics Committee for support and direction. A formal grievance is written, signed, and dated by the person filing the grievance. The written grievance will include all the pertinent details of the situation, what previous attempts have been made to resolve the issues, and why the previous attempts have not been successful, if pertinent.

The written grievance is submitted to a member of the Ethics Committee. The Ethics Committee member contacted will immediately forward the written grievance to the other members of the Ethics Committee. Upon receiving the written grievance, the Ethics Committee will convene and follow the procedures for adjudicating a complaint.

If for any reason the process is unsatisfactory to the complainant, he or she is free to go to another the Ethics Committee member or to a Teacher at any point in the process.

c) Adjudicating a Grievance - Ethics Committee Role

- i. The Ethics Committee will make a good faith effort to respond to the written grievance within 14 days from the date it is initially submitted and to resolve it within 60 days from the date it is received.
- ii. In the event that the misconduct affects the entire Sangha, other steps may be taken, as deemed necessary or appropriate to the situation by the Ethics Committee, the Board of Directors and/or the Guiding Teacher.
- iii. The Ethics Committee will keep confidential written records of all proceedings. Access is limited to the Ethics Committee; consultation with the Guiding Teacher is at Ethics Committee discretion.

d) Adjudication Steps. The written grievance is addressed in the following order:

- i. Interview the Complainant. The complainant can choose to have a support person. The role of the support person is to be there for the complainant without taking sides in the situation or having any official role in the situation or the grievance process.
- ii. Interview the subject of the grievance. A written response by him or her will be made. A support person, as defined in (1) above, will be offered.
- iii. An investigation will take place, involving the following:
 - More information will be gathered.
 - Zen Center leaders who need to know will be notified.
 - A narrative timeline will be developed that documents the incidents and is verified by all parties involved in the dispute.
- iv. The Ethics Committee may take other actions as deemed appropriate pending completion of investigation:
 - The subject of the grievance may be placed on leave from teaching duties, staff position, or other leadership positions.
 - The subject of the grievance may have access to the Sangha and/or NZC property curtailed while the investigation is ongoing.
 - The issue may be referred to an independent party for investigation and recommendation, such as someone with expertise in the subject area of the grievance.
 - Should the Ethics Committee decide that the misconduct requires an outside investigator, the Ethics Committee will consult with the Board of Directors regarding legal counsel and the assessment of potential liability to the Zen Center.

- v. After the investigation is complete, a determination on the validity of the complaint will be made. In the case of a grievance with a Guiding Teacher, the Ethics Committee's determination will follow consultation with the Board of Directors and Guiding Teacher.

e) Actions Following Adjudication

- i. If the misconduct is substantiated, the Ethics Committee, in consultation with the Board of Directors, will do the following:
 - Stipulate disciplinary action for the subject of the grievance. See iii. below.
 - Notify the Complainant in writing.
 - Notify the Membership/Sangha as appropriate.
 - Educate the Membership/Sangha as needed.
- ii. If the misconduct is not substantiated, the Ethics Committee will:
 - Notify the complainant in writing.
 - Address recommendations for the complainant as appropriate.
 - Exonerate the subject of the grievance in all appropriate ways.
- iii. If misconduct is substantiated, appropriate discipline may include:
 - Corrective Actions. The requirements for corrective action will be spelled out in a written document. These may include recommended or required treatment, financial restitution, apologies to particular parties, and atonement.
 - Suspension. The requirements for suspension will be spelled out in a written document, including the beginning and ending dates of the suspension period and salary considerations for paid employees. There will be a review of standing as spelled out in the suspension document. There may be a restoration of standing under supervision, if necessary, when requirements are met. There may also be a termination of standing if requirements are not met.
 - Termination. The conditions of termination will be spelled out in a written document. These will include the date of termination, salary considerations for paid employees, and appropriate access to the Zen Center.

5. Procedure for Appealing the Ethics Committee Decisions

If an appeal of the Ethics Committee recommendations is desired, the request will be made in writing stating the basis for the appeal and submitted to the Board of Directors. When an appeal is considered, the Ethics Committee members should be present for clarity of understanding but will have no vote on the matter. All parties are expected to work from an assumption that the Ethics Committee has acted in good faith and with due diligence, and the Board should not lightly overturn the findings of the Ethics Committee.

Endorsement

This Nebraska Zen Center Code of Ethics has been revised and adopted by the NZC Board of Directors on March 23, 2023.