

STATEMENT OF ETHICS
From
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PROLOGUE

The Soto Zen Buddhist Association, of which I am a member, has recommended that ethical standards be set for each member and practice community. I fully support that recommendation. Below you will find a statement of my own personal ethical commitment. I have taken the majority of this ethics statement, which was suggested for Sanghas without a board of directors, from the SZBA web site.

In my over forty years of formal practice I have witnessed or heard of too many examples of teachers, from many Buddhist religious traditions, having inappropriate relationships with their students or Sangha members. There have also been teachers who have had substance abuse issues, and teachers that have in other ways abused their positions of responsibility. While I have not and don't anticipate that I will be having difficulties in these areas, I feel that it is important that ethical guidelines be established so that a standard of behavior both for myself and for any other teacher that may join our Sangha be clearly stated.

As a Soto Zen Priest, a member of the Soto Zen Buddhist Association, and guiding and Head Teacher at the Occidental Laguna Sangha, I have committed myself to living an ethical life. Central to this vow is my effort to provide a safe haven in which I, my students, and all who are exploring the Zen path, may explore our true nature. The 16 Bodhisattva Precepts are the basic principles of my approach to ethics and the hallmark of Zen Buddhism.

The Three Refuges:

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

The Three Pure Precepts:

Do no harm
Do good
Live to benefit all beings

The Ten Grave Precepts:

1. A follower of the Way does not kill but rather cultivates and encourages life.
2. A follower of the Way does not take what is not given but rather cultivates and encourages generosity.
3. A follower of the Way does not misuse sexuality but rather cultivates and encourages open, honest, and responsible relationships.
4. A follower of the Way communicates truth: One does not lie.
5. A follower of the Way does not intoxicate self or others but rather cultivates and encourages clarity.

6. A follower of the Way does not slander but rather cultivates and encourages respectful speech.
7. A follower of the Way maintains modesty: One praises others not themselves.
8. A follower of the Way shares freely: One is generous.
9. A follower of the Way does not harbor ill will but rather cultivates loving-kindness, understanding and forgiveness.
10. A follower of the Way does not turn away from the Three Treasures but rather cultivates and encourages taking refuge in them.

It is my sincere intention to align my life continually in accord with these precepts.

Ethical Standards, Student/Teacher Relationships, and Grievance Procedures

While the Sixteen Bodhisattva Precepts are the foundation of my vows, I recognize that ethical standards and guidelines are needed to provide commentary and processes for addressing difficult situations that may arise in this Sangha.

Teacher/Student Relationships

The teacher student relationship is founded on deep trust and respect that is the mutual responsibility of both parties to honor. However, the authority of the teacher carries with it an increased responsibility to avoid situations and actions that could result in harm to the student, the community or the teacher. I recognize that harm may result if a teacher and student become sexually or inappropriately emotionally involved, or if a teacher violates trust, or uses power or position for personal ends.

I commit to conduct relationships in accord with the Bodhisattva precepts. Because of this commitment, the responsibility for maintaining appropriate and clear boundaries always rests with the teacher. I will respect and protect the personal autonomy of all students, and refrain from sexual involvement with students. Should I as a teacher feel unable to uphold this standard, I will seek guidance and counsel from a senior teacher in my lineage. It is recommended that the student involved also seek guidance.

Confidentiality

Matters discussed in individual meetings with me (i.e. in practice discussion) as the teacher are kept in confidence except as may be required by law. Students are encouraged not to engage in idle talk about matters discussed in teacher-student meetings.

There may be circumstances in which it is necessary for a teacher to consult a professional for legal or psychological expertise. It may be necessary to disclose confidential

information in the context of such a consultation. Such consultations are also kept in confidence and are only undertaken in the interest of the Sangha and the student.

Use of Power and Position

I recognize that individuals in positions of confidence or trust must not misuse status or authority to achieve privileges or other considerations, or to inappropriately influence others.

If I am entrusted with handling funds or assets on behalf of practitioners, I bear responsibility to provide accountable and transparent stewardship.

I recognize that in my position of authority, my behavior with drugs, alcohol and all intoxicants must be in alignment with the precepts. Abuse of intoxicants is an ethical violation and is subject to the procedures outlined below.

Procedures for Addressing Ethical Concerns

Ethics Procedures, Part 1

Informal Ethics Process

If an ethical problem arises, it is recommended that the student or Sangha member first try to take up the problem with the teacher directly. If the student or Sangha member feels uncomfortable doing this or is not satisfied with the exchange then the student or Sangha member may then wish to discuss the matter with another qualified teacher or senior students of the teacher to assist in discernment and in resolutions of the concern.

Ethics Procedures, Part 2

Formal Ethics Hearing Process

Before any formal ethics hearing process is instituted, which is a serious matter, it would be wise to reflect on two possibilities: 1. In the history of Buddhist communities students have been taken advantage of by their teachers; ethical violations have been committed which have not been heard or redressed, and 2. teachers have also been falsely accused of ethical violations. Sometimes a student can project a sexual interest when none existed and the teacher's reputation can be seriously harmed. Both these considerations should be taken into account before a formal ethics hearing process is instituted.

If matters of importance are not able to be informally resolved, the matter may be submitted to any member of the Occidental Laguna Sangha Practice Advisory Council for a hearing. The Practice Advisory Council shall appoint seven to nine members, but not more than nine members, to sit as a special Ethics Panel to hear the complaint.

COMPOSITION OF THE SELECT ETHICS PANEL:

Members of the Practice Advisory Council may be members of the Ethics Panel, as well as Sangha Members who have been in regular attendance for three years. In addition, a Senior Zen teacher, selected by me, can be asked to join as a non-voting member of the Panel. I will not be a voting member of the Ethics Panel

1. Bringing a Concern

A formal process is initiated by communicating in writing to the Practice Advisory Council which will then convene an Ethic Panel to hear the complaint. This "Letter of Request" must include:

- A clear statement that a formal ethics hearing process is requested.
- The name of the person(s) to whom the matter pertains.
- A description of the alleged matter sufficient enough to allow the Ethics Panel to decide whether the matter is appropriate for a formal hearing process.
- A description of prior attempts to resolve the matter.
- A statement of the resolution sought.

2. Accepting a Concern

Once the Ethics Panel has received a letter of request, they will by majority vote convey to the requester within 30 days the acceptance or non-acceptance of the matter for formal hearing. In the event the matter is accepted for formal hearing, the Panel will also notify persons named in the Letter of Request, as appropriate.

3. Convening the Ethics Panel for a Hearing

Once the parties have been notified, the Ethics Panel will convene the meeting after consulting with the head teacher (currently Bruce Fortin) regarding logistical proceedings. The Ethics Panel will act and vote independently of the head teacher. One Panelist will chair the hearing and will ensure that a record of the hearing is maintained. Each member of the Panel must be without actual or apparent bias or conflict of interest.

4. Hearing the Concern

The chairperson will schedule a private hearing for the persons involved to have a full and fair opportunity to present their understanding of the matter to the Ethics Panel. The Panel may ask questions and request information.

5. Ethics Panel Decision

Once the Ethics Panel determines that it is sufficiently informed of the matter(s) at hand, it will close the hearing and deliberate. If the Sangha has a Head Teacher who is not the subject of the inquiry, the Panel will consult with him or her during deliberations. The Panel should work toward a consensus opinion.

As soon as reasonably practicable, the majority position on the Panel will issue a written decision and distribute it as appropriate.

6. Partial List of Possible Resolutions by the Ethics Panel

This is a partial list of possible resolutions intended to encourage open-minded and creative decisions. This list is divided into two categories, “A” and “B”. Category “A” includes those possible resolutions that might be resolved without involving the Sangha as whole. Category B includes those resolutions of a more serious consequence and shall be disclosed to the entire Sangha. Their adoption shall require a majority vote from Sangha members as described in Section 7.

While it is not possible to anticipate every kind of situation which might require resolution, this format hopes to ensure a process that benefits all. The findings could apply to either the teacher or the practitioner:

Category A

- Finding of no ethical breach while acknowledging the existence of a problem which needs resolution elsewhere.
- Recommendation for a reversal of an administrative decision or action.
- Direct or mediated private apology.
- Follow up meetings with the teacher.
- Recommended education or training or intervention program (e.g. therapy or relevant 12 step program).
- Private reprimand.
- Limiting the decision simply to whether or not an ethical transgression occurred.

Category B

The below listed resolutions shall be disclosed to and voted on by the Sangha, as described in section 7.

- Recommendation of a period of probation, with probationary terms set by the Ethics Panel.
- Recommendation of suspension or dismissal from position of responsibility in the Sangha.
- Recommendation of suspension from teaching for a period of time. A suspension could stipulate the conditions by which a person may commence teaching

7. Adoption of Ethics Panel Resolutions

After the Ethics Panel has reached its decision and agreed upon a Category A resolution, the full Practice Advisory Council, by a majority vote, will decide whether the decision and resolution will be disclosed to the entire Sangha. Any of the Category A resolutions may be adopted without such disclosure.

If the Ethics Panel has agreed on a Category B resolution, that decision and resolution shall be disclosed to the Sangha. A majority vote of the Senior members of the Sangha who have been in regular attendance for at least **two** years shall be required for adoption of the resolution. Sangha members may make their own decision for voting eligibility. The Practice Advisory Council may participate in this vote.

If the resolution is not passed by a majority of those Sangha members voting, the Ethics Panel shall reconvene to consider and develop an alternate resolution.

Ethical Violations and Member's Obligation to the SZBA

As a teacher within the Zen Buddhist community, I have a special responsibility to ensure a safe teaching environment for my students and Sangha members. Specifically, I, as a Member of the Soto Zen Buddhist Association, am bound by these principles as set forth in the SZBA Ethics Statement.

1. Self-reporting Clause: If a Member or Associate Member has been found by the Member's Sangha/temple to be in violation of its ethical guidelines, s/he must report this to appropriate authorities in accordance with state law and to the Grievance Committee of the SZBA for review. The Member may be subject to suspension of Membership. Should the Member not report, their Sangha/temple should do so. If no Sangha/temple member reports the violation, a member not affiliated with the temple may report it to the Grievance Committee of the SZBA.

2. Illegal Activity Clause: Any Member or Associate Member convicted of a felony will be subject to review of their Membership by the Grievance Committee. When all legal obligations have been met as determined by the judicial system, the Member may apply for re-instatement.

3. Diversity Clause: The Members and Associate Members of the SZBA are committed to actively seeking harmony within such differences as race, class, gender, age, ability, sexual orientation, and other forms of cultural identity.

Bruce Fortin
Head Teacher, Occidental Laguna Sangha