Religious training within a sangha relies upon a profound commitment on the part of both teachers, priests and students to deeply study, realize and actualize the teachings of the Buddha. This requires that each person, while in training at any training center or affiliate within the MRO, practice in accord with the Buddhist Precepts, the Doshinji Code (Zen Mountain Monastery Rule) and the Karenji Code (Zen Center of NYC Rule). In addition, all monastics are expected to practice in accord with the MRO monastic vows. When this is done faithfully, the sangha dwells together in a way that is mutually supportive, trusting and peaceful.

These ethical guidelines have been established with the understanding that even in the context of spiritual training, issues or conflicts based in wealth, sexuality and power can arise. While each sangha member is expected to dedicate him or herself to training, mistakes, transgressions and harmful actions may sometimes occur on the part of any sangha member, from the newest student to the Abbot, Abbess, or Head of the Order. These issues can be destructive forces within a sangha, and thus must be acknowledged and worked with skillfully through the wisdom of Buddhist teachings and practice.

When conflicts or breaches of trust arise, it is essential that there be a pathway through which the involved parties can effectively and safely address the conflict and work towards its best resolution. The purpose of this MRO Code of Ethics is to provide that pathway. Guests, provisional students, formal MRO students, senior students, monastics, transmitted priests and teachers each have varying levels of responsibility to the sangha and the Dharma, as well as administrative and/or spiritual authority within the sangha.

As a general principle, whenever there is a conflict between two or more persons, they are first encouraged to work together in a mature and responsible manner to find a satisfactory resolution. If this is not successful, or if the nature of the issue does not permit an opportunity for open and trusting resolution between the parties, the following steps should be taken depending on the role of the involved parties within the sangha.

While the purpose of these guidelines is to provide practical guidance towards maintaining harmony within the sangha, they cannot anticipate all possible situations that might arise. In the event of a situation that is not specifically addressed in these guidelines, the teachers, seniors and sangha will need to rely upon their maturity, intelligence and correct practice of the Dharma to respond appropriately in a manner that is neither ignores the principles and spirit of these guidelines, nor is too rule-bound or inflexible.
I. MRO Trainees: Formal MRO Students, Provisional Students & Guests
All trainees are expected to practice in accord with the Buddhist Precepts and the Doshinji and Karenji Codes. In the event of a conflict between trainees, the involved parties should:

A. Seek to resolve the conflict through honest, skillful communication in which each person takes full responsibility for their role.

B. If this does not lead to resolution—or if the involved parties do not feel able to work directly with each other—either person should speak directly (either in dokusan or informally) with one of the MRO Teachers or Priests, and/or speak with one of the Training Coordinators or a member of the Guardian Council. The Training Coordinator or GC member will inform a Teacher of the issue.

C. If the situation is judged to be sufficiently serious, the matter may be directed—at the discretion of the Teachers—to the MRO Guardian Council. The Guardian Council may then ask to meet—individually or together—with the involved persons to help settle the matter. The decisions of the Guardian Council regarding the issue are conclusive and binding.

It is the responsibility of the Guardian Council—together with the Teachers—to insure that the matter is addressed appropriately and in a timely manner by following through on the matter to its conclusion. The Guardian Council should inform all those directly involved in the matter of its decisions.

II. MRO Senior Students
MRO Senior Students—both monastic and lay—are, as part of their ongoing training as Seniors, given various responsibilities and roles of authority that bring them into contact with other trainees in ways that create ‘power differentials.’ Therefore, Senior students carry a special obligation to practice the Precepts well and provide a good example to all junior students. Each Senior should, at all times, treat junior students with compassion and respect, and be particularly aware of any interactions that could be interpreted as an abuse of power, sexualized behavior or sexual harassment. (See Doshinji Code, section “Relationships” & Karenji Code, sections “Relationships” & “Sexual Harassment”). A sangha member in a position of authority should be keenly aware of and concerned for how their actions and behavior within the sangha may have a greater impact on other sangha members.

If a conflict or indiscretion does arise between a senior and a junior student, it is incumbent upon the senior student to take responsibility and seek to resolve the situation in a harmonious way. However, either person can, at any point and for any reason, seek the advice of and/or intervention by a Training Coordinator, Priest or Teacher. (See Section I above) The more junior student is encouraged to come forward if the senior student does not and he or she will be supported by the teachers and senior training staff in doing so. Confidentiality between the person identifying the issue, the teachers and senior training staff will be kept for as long as possible, understanding that it will be necessary at some point to inform the person(s) involved so he/she can be engaged in the process seeking resolution.
The path for addressing issues between senior and junior students is the same three step process outlined in section I MRO Trainees: Formal MRO Students, Provisional Students & Guests. The people involved should first attempt to address it between themselves. If this is not successful, either person may then take it to a Training Coordinator or Teacher. If this still does not resolve the issue, then the grievance procedure outlined below may be used.

Any MRO trainee that creates disharmony within the sangha, or violates the bond of trust between sangha members, and is unable or unwilling to take responsibility for and correct their actions, may be asked to leave the MRO properties immediately. The MRO teachers and training staff also reserve the right to exclude a person from the sangha, and prohibit him or her from attending some or all MRO-related activities for any specified period of time.

III. Head of the Order & MRO Teachers & Priests
The Head of the Order and all active, authorized MRO teachers and priests have the greatest responsibility to uphold and embody the spiritual and ethical virtues of the Buddhist teachings and Mountains and Rivers Order training. When a Teacher (hereafter to include any active MRO transmitted Teacher, Priest or the Head of the Order) violates the bond of trust with a student, the damage can be severe and long-lasting both to the individual involved and the wider sangha. Therefore, it is wholly appropriate for the sangha to expect the Teacher to act fully in accord with all training Rules, Codes and Precepts of the Order.

Specifically:
A. Teachers and Priests should adhere to the Rules of Service and Selflessness. This means to live in service to the Three Treasures—Buddha, Dharma and Sangha—and to live selflessly with regards to authority and power. While teachers and priests are empowered to teach the Dharma—and so carry spiritual authority within the sangha—this should never be used in ways that bring harm to the sangha; this includes individual persons, the entire community and every organization within the MRO. The various governing bodies within the MRO (Guardian Council, Monastic Council, Board of Directors, Council of Elders) all serve to balance this power, providing degrees of checks and balances, between the teachers and priests and sangha.

Any student who feels a teacher is misusing their power should follow the Grievance Procedure outlined below. Naturally, it is important that any person presenting a request for formal grievance be clear in their intentions and actions, so as to avoid any frivolous accusations.

In general, any sangha member who becomes aware of an action by another sangha member or Teacher that transgresses these Ethical Guidelines, the Precepts and/or the Rules of the Monastery or Temple, should bring this action to the attention of someone capable of examining and acting upon the issue.
B. Ordained Teachers should adhere to the *MRO Monastic Rule of Simplicity*. This means to live simply with regards to material objects and money, while being appropriate to their functioning and responsibilities as a Priest, Abbot or Abbess, Head of the Order, etc. Remembering that all those ordained within the MRO have taken a vow to not accumulate wealth, any significant purchases (e.g. dwelling space, cars, etc) should be in keeping with this the Rule of Simplicity.

The Abbots and/or Abbesses of the Monastery and Temple have access to, and control over, a Contingency bank account, as authorized by the ZMM Board of Directors. This account receives all MRO student dues and is for the discretionary use of the Abbots/Abbesses. The account is reviewed at each quarterly ZMM board meeting; quarterly financial reports presented to the Board are open to any formal student within the Order. These monies are not the personal property of the MRO teachers but are part of the cash assets of the Order, though they may not be used without the express consent of the Teachers.

Teachers and Priests should not have any other personal wealth, except in such cases as, for example, receiving social security payments. In these cases, the money may either be given away or deposited into one of the MRO bank accounts. Any family inheritances are to be refused or given away as donations.

Lay Teachers should live in a way that is materially and financially appropriate to their life as a lay practitioner in the world, while being in harmony – in spirit and action – with a life based in non-attachment.

Any student who feels a teacher is misusing financial or material resources in a way that is harmful to the sangha, and contrary to the spirit of these guidelines, should follow the Grievance Procedure outlined below.

C. Ordained Teachers and Priests should adhere to the *MRO Monastic Rule of Stability*. This means to live a solitary life (i.e. without an intimate or sexual partner) or to be in a committed, monogamous relationship. In both cases, all MRO teachers and priests (ordained and lay) should not engage in any explicit or secretive communication or action with a student or trainee which has the intent—or gives the appearance—of initiating some type of sexual encounter or intimate relationship.

If a Teacher who is not in an intimate relationship wishes to initiate an intimate relationship with another person, they may not do so with any active formal student or practitioner within the Order. They may, however, initiate an intimate relationship with a person outside the practicing MRO sangha. In this case, they should be open and honest with the sangha about their relationship. An exception to this rule would be if both parties formed a relationship as practicing students (i.e. were equals within the MRO training), and consequently one of them completed his or her training and became an authorized Teacher or Priest.
A teacher who receives sexual advances from a trainee is obligated to directly and unambiguously tell him or her that such actions are detrimental to the student’s spiritual training and will not be allowed. The teacher should also make a written, dated note outlining the advance, which should be stored confidentially in the Training Office. If the student is unable or unwilling to stop such actions, they should be directed to work with another MRO teacher or asked to discontinue their training within the MRO. Any student who feels a teacher is misusing sexuality should follow the Grievance Procedure outlined below.

Grievance Procedure
A formal grievance procedure is available to any member of the sangha to address conflicts or perceived inappropriate behavior when informal attempts at utilizing normal training processes within the MRO have been exhausted or are deemed inadequate or inappropriate given the nature of the alleged infraction.

Filing a Grievance with the Guardian Council
[Note: For a definition of the Guardian Council, see the Zen Mountain Monastery By-laws, Article III.]
A sangha member may submit a formal, written request to any member of the Guardian Council to file a formal grievance, or a request to examine an issue relating to sections I-III above. This request should then be sent (via email or mail) to all active GC members who should acknowledge receipt of the request. The request for acceptance should include:

1. A clear statement that a formal grievance is being filed
2. The name of the person(s) whose behavior the grievance concerns
3. A detailed description of the alleged behavior.
4. A history of the attempts to resolve the grievance

Until a grievance is accepted by the Council, all information related to the grievance will remain confidential within the Council except for any disclosure mandated by law. Any member(s) of the Guardian Council with actual or apparent (perceived) bias or conflict of interest must recuse themselves from the meetings. Examples of conflicts of interest include people in intimate relationships with either party involved in the grievance, or anyone who is deemed to be involved in the conflict or its parties in such a manner as to make it unreasonable for them to be unbiased. The Guardian Council may, by two-thirds majority, vote to recuse a GC member in the event that he/she does not initiate this on their own.

The request—and all further deliberations by the Guardian Council for this request—should be considered with at least two-thirds of the full Guardian Council membership present. If the request is not deemed appropriate to be handled by this grievance process, the person submitting the request should be notified within three weeks of its submission. If the request is deemed appropriate, the person should be notified and a meeting time and place between the person(s) submitting the grievance and the Guardian Council should be established and convened within one month of the request’s acceptance by the Council. At this meeting, the GC members will inquire
more deeply into the matter and determine the next course of action. At the conclusion of this meeting (or after subsequent meetings if deemed necessary), the GC may choose to:

1. Seek resolution by working directly with the MRO teachers, priests and/or other parties involved in the matter, or
2. If the matter is sufficiently grave, take it before the Council of Elders. The Council of Elders will then address the issue, as outlined in the procedure below and in accord with the provisions outlined in The Rule of the Mountains and Rivers Order. (See Rule of the Order, Sections VI and VII.)

Investigation of a Grievance by the Council of Elders
[Note: If the grievance concerns the Head of the Order, the procedure outlined in Section VII of the Rule of the Order should be followed.]

Any member(s) of the Council of Elders with actual or apparent (perceived) bias or conflict of interest must recuse themselves from the meetings. The most senior MRO student of the Council (based on the MRO system of training seniority) shall be the Council’s Chair, shall have voting rights, and shall be responsible for ascertaining whether potential conflict of interest exists among the Council of Elders members. If the most senior student is either named in the grievance or has recused themselves from the hearing, the next most senior person will be the Chair. The Council of Elders may, by two-thirds majority, vote to recuse the Chair in the event that he/she does not initiate this on their own.

The Council of Elders will schedule and oversee a closed hearing in which all parties will be given a chance to present their understanding of the issue under investigation. The Chair will lead the meeting. The Council may question all parties, and may request additional information. If appropriate, further meetings may be scheduled. All parties to a grievance may have a support person of their choice present at both the meeting and hearing (see below). If desired, the support person may make statements during the investigation.

The Council may ask other people to provide information pertinent to the grievance. Such information may be provided in person at a meeting or in writing. All parties will have a full and fair opportunity to review and respond to all information—oral, written or otherwise—gathered by the committee. Confidentiality will be maintained for the duration of the proceedings and the secretary will document the proceedings.

Council of Elders Findings
When Council of Elders members are satisfied that they have adequate information, they will review and discuss the case in a closed session. The Council’s decision is reached by a consensus of two-thirds, that also allows for any person to “stand aside,” i.e., not agree with the decision but allow the decision to move forward. The Chair will explain and facilitate the consensus decision-making process for this Committee.

Once a decision has been reached, a majority of the members of the Council of Elders shall reconvene within two weeks with the parties involved. At this time the Council shall hand out copies of its written findings and read them aloud.
The Council of Elders is authorized to resolve a grievance in any manner that it regards appropriate, as long as it does not exceed the lawful authority of Zen Mountain Monastery, its By-laws or the Rule of the Mountains and Rivers Order. However, the Council of Elders does not have the authority to relieve a teacher of his or her teaching and/or administrative responsibilities, as this responsibility lies solely with the Head of the Order. If the Council of Elders is initially unable to reach a decision, it must continue its deliberations until consensus is reached. It is the responsibility of the Council of Elders, with the Teachers and Priests in a leadership role, to insure that the Council of Elders' decision is carried out.

In reaching a decision, and unless there is a request for continued confidentiality, all records, information, and decisions concerning the matter will become public at the conclusion of the hearings. If there is a request for confidentiality, the Council of Elders will decide if and for how long the records will be held in confidence. The Council of Elders will also notify the ZMM Board of Directors of its decision at its next scheduled meeting, or sooner if deemed appropriate.

If the Council of Elders makes a decision that involves a teacher or priest within the MRO, it is the Head of the Order’s responsibility—and within his or her authority—to decide how this may impact that person’s teaching and/or administrative responsibilities within the Order, and whether that teacher should—and to what degree—remain in those roles. The Council of Elders may make a written recommendation regarding the teacher’s role within the sangha to the Head of the Order.

If the Council of Elders reaches a decision that involves the Head of the Order but does not remove him or her from their position as Head, that body, through the guidance and leadership of the Teachers and Priests, should make a recommendation to the Head of the Order that will move towards resolution and healing of the matter.

If the Council elects to temporarily remove the Head of the Order, the Assistant Head of the Order should assume their responsibilities until the Head of the Order is returned to his or her position by a two-thirds majority vote of the Council of Elders. If the Head of the Order is permanently removed from their position, the Assistant Head of the Order should become the new Head of the Order in accord with sections IV, V and VII of the Rule of the Order.

Proposed revisions to these Guidelines should be reviewed and formally approved by the ZMM Board of Directors in accord with the Amendment clause in the ZMM By-laws.

The Foregoing is a true and correct copy of the Ethical Guidelines of the Mountains and Rivers Order as approved by the ZMM Board of Directors, on April 22, 2012.

This document should be signed by each successive Head of the Order and the presiding Secretary.

Geoffrey Shugen Arnold
Head of the Order

Secretary
Zen Mountain Monastery, Inc.