

**Policy and Procedures
for Ethical Concerns regarding Dharma Teachers
from The Plum Village Lineage North American
Dharma Teachers Sangha**

Table of Contents

I.	OVERVIEW	2
II.	THE PROCESS	3
	A. INITIAL STEPS.	3
	B. HARMONY COMMITTEE REVIEW.....	6
	C. RECUSAL.....	7
	D. RESOURCES FOR THE HARMONY COMMITTEE.....	7
	E. SUBSEQUENT HARMONY COMMITTEE CONSULTATION.....	8
III.	POSSIBLE OUTCOMES IN EXTREME CASES.....	9
IV.	SEXUAL HARASSMENT POLICY	10

I. OVERVIEW

This policy establishes a process for addressing perceived ethical lapses by ordained Order of Interbeing Dharma teachers¹ in North America who are members² of the Plum Village Lineage North American Dharma Teachers Council (“Dharma Teachers Sangha”). The Dharma Teachers Sangha Caretaking Council (“Caretaking Council”)³ instituted the process and its Harmony Committee implements its use. The process is intended to support Sanghas and Dharma Teachers in their efforts to reach harmony and understanding. The North American Dharma Teachers Council, its Harmony Committee, and the Dharma Teachers Sangha are not adjudicatory bodies and do not control any aspect of Lamp Transmission.

The ethical stance of the Tiep Hien Order, including its Dharma Teachers, is *ahimsa*, or “non-harming.” *Ahimsa* is elaborated in the Fourteen Mindfulness Trainings of the Order of Interbeing. (See the Parallax Press book, *Interbeing*.)

The approach in this process emphasizes calming, listening with full attention, and looking deeply in order to understand all perspectives. Our intent is to be more mediational than adversarial, and to attend to the continuing well being of all involved.

This process can be used when there appears to be good cause to address an allegation that a Dharma Teacher’s conduct is causing, or appears likely to cause, injury or suffering. The process is available to North American Sanghas practicing in the Plum Village tradition of Venerable Thich Nhat Hanh, participants in those Sanghas, Order of

¹ A Dharma Teacher is a lay or monastic Order of Interbeing member who has received formal Lamp Transmission. Zen teaching transmissions are given by lineage-holding Zen teachers.

² Membership in the Dharma Teachers Sangha is offered to all monastic and lay Dharma Teachers who live in North America, who actively participate in the Plum Village tradition, and who wish to embrace the Dharma Teachers Sangha. Dharma Teachers may become members of the Dharma Teachers Sangha by communicating their intention to the Dharma Teachers Sangha Membership Secretary.

³ The Caretaking Council serves as the governing board of the Dharma Teacher’s Sangha.

Interbeing members, and Dharma Teachers who are members of the Dharma Teachers Sangha.

Historically, neither the Caretaking Council nor the Harmony Committee selects which Order of Interbeing practitioners will be ordained as Dharma Teachers. They do not govern any aspect of Lamp Transmission and cannot revoke Dharma Teacher ordination. Nevertheless, the Caretaking Council and the Harmony Committee offer this process as “Sangha eyes” for guidance. In extreme cases, when recommended by the Harmony Committee, the Caretaking Council may censure, suspend, or expel a Dharma teacher from The Plum Village Lineage North American Dharma Teachers Council. The Harmony Committee, the Caretaking Council, and the Dharma Teachers Sangha are not authorized to void Dharma Teacher ordination.

II. THE PROCESS

A. INITIAL STEPS.

Before asking the Harmony Committee to intervene, friends involved in or affected by the conflict are expected to use their local Sangha resources and regional Dharma Teachers not directly involved in the difficulty to assist in addressing the issue. Consider how your Sangha has used skillful means to address the issue. These skillful means might include the [Dharma Teacher’s Conflict Guide](#) at orderofinterbeing.org and the book *Happiness*, which is available from [Parallax Press](#) or electronically from the iTunes store.

1. [The Five Mindfulness Trainings and Fourteen Mindfulness Trainings](#): Regular recitation and discussion of our practice with the trainings helps support our acting in skillful ways to promote understanding.]
2. [Mindful Speech and Deep Listening](#): The [Dharma Teacher’s Conflict Guide](#) at orderofinterbeing.org contains a set of “rules/suggestions” for effective communication and deep listening. These practices can help us understand each other and clearly communicate.

3. Beginning Anew: Both the [Dharma Teacher's Conflict Guide](#) and the book *Happiness* have information on the Beginning Anew process. The Conflict Guide includes examples. As an ongoing regular Sangha practice, Beginning Anew can maintain harmony and promote understanding. It may also be useful when issues arise within the Sangha. You might also consult *Teachings on Love* (Parallax Press 1997), Chapter 10.
4. The Peace Treaty: The Plum Village Peace Treaty is useful before a conflict arises, and it can provide guidelines and encouragement for our practice with a conflict. [See the book *Happiness*.]
5. Shining the Light: "To shine light on a person means to use one's observation and insights in order to advise someone about his strengths and weaknesses in the practice and to propose ways to practice that he can profit from." Shining the Light requires a degree of trust and maturity in the practice. It is a practice of loving speech and encouragement. It is especially helpful among practitioners who have a strong connection with each other. [See the book *Happiness*.]
6. Consultations with Dharma Teachers not involved in the conflict: Lay and monastic teachers who are nearby may offer the capacity to listen and understand with new ears and a new perspective. Their support may help shine light on the situation and move the discord toward resolution.
7. Conflict Resolution Form: This form is available in the [Dharma Teacher's Conflict Guide](#). It offers a relevant checklist that may help promote understanding and resolve the difficulty.

If unable to reach harmony and understanding through these means, friends may ask the Harmony Committee to help address the problem. The Harmony Committee may be contacted through its email address, harmony@orderofinterbeing.org.

Friends seeking the Harmony Committee's help will be asked to provide details through a statement of concern. The statement should include:

1. the Dharma Teacher's name;
2. the behavior of concern,
3. how the behavior is perceived as an ethical violation,
4. the perceived harm,
5. actions taken to date, and
6. possible solutions.

As indicated above, the intent of these guidelines is primarily mediational with the goal of mitigating suffering and nourishing the spiritual development of those involved in a difficulty. The Harmony Committee does not assess monetary damages or allocate blame. Also as indicated above, the Harmony Committee cannot revoke a Dharma Teacher's ordination.

Sometimes when asked to mediate or facilitate resolution, the Harmony Committee may identify all necessary parties to the dispute and then agree to help resolve the dispute only if the necessary parties identified by the Committee:

- Sign a written agreement with the Committee about how consultations, interviews, mediation and other activity under these Guidelines (collectively, "Harmony Committee Activities") will occur; and
- Sign a written release document, prepared by the Harmony Committee, protecting to the extent permitted by law those who are trying to help, including The Plum Village Lineage North American Dharma Teachers Sangha, its Harmony Committee and their respective members, and releasing them from liability and litigation arising out of or related to the Harmony Committee Activities (the "Released Parties").

The document containing both release and other protections deemed necessary by the Harmony Committee will be sought when the Harmony Committee deems advisable, including but not limited to instances where:

- One or more of the parties to a dispute no longer seeks reconciliation,
- Litigation has already been threatened, or
- There appears to be a material chance that litigation may arise.

The Harmony Committee may require that the release be signed either before beginning its work or after the Harmony Committee has investigated the difficulty and learned its true nature.

When requested, the release will be signed in consideration of the Harmony Committee's willingness to assist in mitigating suffering related to the dispute.

B. HARMONY COMMITTEE REVIEW.

After receiving a statement of concern, the Harmony Committee shall acknowledge its receipt to the sender and to the Caretaking Council. At its next meeting, the Harmony Committee will determine how to best proceed and how to consult with those involved. Its review will begin within a reasonable time, generally within 90 days of receiving the statement of concern. Initial steps may include, but are not limited to:

1. Assigning Harmony Committee members to consult with those involved in order to become familiar with their perceptions and to identify the issues;
2. Where appropriate, asking Harmony Committee members to consult with knowledgeable Dharma Teachers and Order members in the region where the concern has arisen;
3. In the interest of reducing the likelihood of further suffering and injury, where harm appears imminent — and after consulting with the Caretaking Council if time permits — consult with the

relevant local Sangha, mental health professionals, or where clearly necessary and appropriate, relevant local resources or authorities.⁴

C. RECUSAL.

Committee members will not participate in decisions where they are directly involved with the situation.

D. RESOURCES FOR THE HARMONY COMMITTEE.

In conducting its work, the Harmony Committee will look with Sangha eyes and draw upon available resources within the Plum Village tradition. The Committee may use the resources listed in II.A Initial Steps, above, as well as other resources, including without limitation:

1. Assisting those involved to consult Venerable Thich Nhat Hahn's teachings on the Five and the Fourteen Mindfulness Trainings, on Sangha practice, and on love;
2. Assisting those involved to work with the "[Conflict Resolution Guide](#)," available on the [Order of Interbeing website](#), before being interviewed by Harmony Committee members;
3. Drawing upon other skillful means within the Buddhist tradition on a voluntary basis, including the skillful means known as the Peace Treaty, Beginning Anew, Shining the Light, and covering mud with straw;
4. Drawing upon the wisdom of the monastic community in the Plum Village tradition and upon additional skillful means which monastics may have employed in analogous circumstances; and
5. Consulting with professionals trained in the fields of ethics, mental health, and law on an as needed basis, particularly those

⁴ Most North American jurisdictions require reporting of child abuse, even by persons normally exempted by confidentiality such as therapeutic, medical, and clerical professionals. The Dharma Teacher's Sangha Harmony Committee abides by child abuse reporting requirements and expects all others who practice in our tradition to do the same.

identified among available, recommended resource people by the Caretaking Council.

Ideally, Harmony Committee members will interview all those concerned, in order to promote clarity and understanding of the situation and to provide guidance and support. Interviews typically will be conducted in the company of at least one other Harmony Committee member or skilled professional.

E. SUBSEQUENT HARMONY COMMITTEE CONSULTATION.

Within a reasonable time after initial inquiries and interviews, the Harmony Committee will convene and consider next steps. The Committee may appoint a subcommittee to consider and work to implement the next steps, which may include but are not limited to:

1. Continuing consultations with those involved;
2. Suggesting non-binding mediation facilitated by Harmony Committee members or other experienced practitioner or appropriate professional person; and
3. Suggesting non-binding mediation which brings together the parties involved and enables them to speak to each other either in-person or through a chosen intermediary. These contacts should be in person whenever possible. Otherwise, they may occur by telephone or other contemporaneous electronic communication.

The Harmony Committee shall inform the Caretaking Council about the status of statements of concern and shall obtain its agreement on appropriate next steps before implementing them. The Caretaking Council may elect in its sole discretion to direct the Harmony Committee to proceed with implementation, to share implementation jointly between the Harmony Committee and the Caretaking Council, or to direct the Harmony Committee to allow the Caretaking Council to proceed with the implementation.

III. POSSIBLE OUTCOMES IN EXTREME CASES

Every effort will be made to nourish the healthy seeds of those involved, so that with Sangha support, reconciliation, forgiveness, and a new beginning may occur.

Even in instances where a clear resolution cannot be reached, through this process the Harmony Committee hopes to contribute as much as possible to preventing harm and encouraging healing.

In extreme cases, in instances where the Harmony Committee is making recommendations the Harmony Committee may recommend to the Caretaking Council that for his or her unskillful actions, a Dharma teacher who is a member of the Dharma Teachers Sangha be censured, suspended from membership for a stated period of time, or expelled from membership in the Dharma Teachers Sangha. In the event the Harmony Committee recommends expulsion, the Harmony Committee may in its discretion also recommend to the Caretaking Council whether reinstatement as a member of the Dharma Teachers Sangha after said expulsion either should or should not even be considered (and, if so, on what terms), taking into account the nature of the offense, the needs and safety of the Sangha, and the possibility that the Dharma Teacher in question might be able to function as a Dharma Teacher in the context of his or her local Sangha and as a member of the Dharma Teachers Sangha. The Caretaking Council shall act in its sole discretion in determining whether reinstatement should or should not even be considered after expulsion, and, if so, on what terms and, ultimately, whether reinstatement will be granted. There shall be no right of appeal with respect to a decision by the Caretaking Council to permit or grant reinstatement

Within a reasonable time after receiving the Harmony Committee's recommendation, in instances where the Harmony Committee is making recommendations, the Caretaking Council will decide whether to accept, reject, or modify the recommendation. Before the Council acts, the Dharma Teacher involved may request to meet directly with the Council, in person or by teleconference.

If the Caretaking Council decides to censure, suspend or expel the Dharma Teacher's membership with the Dharma Teachers Sangha, the Dharma Teacher may ask for a vote of the entire North American Dharma Teachers Sangha on the decision. The Dharma Teacher must communicate the request to the Recording Secretary not more than 60 days after its decision is sent to the Dharma Teacher. In response to this request, the Caretaking Council shall promptly communicate its findings and recommendation to the Dharma Teachers Sangha and request a vote be taken by its Members to accept, reject, or ask the Caretaking Council to reconsider the recommendation. The Dharma Teachers Sangha Recording Secretary, in conjunction with the Caretaking Council, shall arrange for the communication and vote.

IV. SEXUAL HARASSMENT POLICY

The North American Dharma Teachers Sangha Care-Taking Council (CTC) wants all Dharma Teachers to recognize and be sensitive to our positions of power — real or perceived — in relation to local Sangha members and retreat participants. Dharma Teachers have an ethical duty to prevent harm, including harm from intentional or unintentional sexual harassment. The Care-Taking Council offers this policy to increase Dharma Teacher awareness of and sensitivity to possible sexual harassment, minimize the risk of sexual harassment, and provide guidelines to help protect Sanghas and Dharma Teachers from the suffering caused by sexual harassment. The CTC offers this policy in full awareness that both sexual harassment and false accusations of sexual harassment are not uncommon in our greater society. Persons who experience sexual harassment or other sexual aggression that constitutes criminal conduct are encouraged to contact local law enforcement.

Sexual harassment includes a broad spectrum of unwelcome behaviors, including but not limited to veiled or explicit sexually-suggestive comments or jokes, flirting or sexual invitation, prolonged or intimate physical contact, and unwelcome dating requests. Sexual harassment may include single or multiple events that create an

unwelcome sexual element in a relationship, community, or environment.

Lamp transmission places Dharma Teachers in a position of some authority in our communities, whether that authority is formally acknowledged or not. Like others in authority, Dharma Teachers must be aware that even apparently consensual dating relationships may be influenced by this authority, particularly when the relationship is with someone whose power or authority differs. A power differential may make the consensual nature of a relationship murky at best. People may not feel comfortable saying “no” to retreat leaders or Sangha members in positions of authority who solicit a romantic or physical relationship. Thus, even in a consensual relationship, Dharma Teachers are encouraged to proceed with care to protect the Sangha and the other person, abiding as well in the tenets of the Mindfulness Trainings’ guidance on sexual responsibility.

Even when a Dharma Teacher receives a dating request, he or she should remember the possible impact of power differentials. When one person has authority — actual or apparent — over another, the consensual nature may not be as clear as it first seems. And regardless of who initiated the relationship, its consensual nature may be even murkier when the relationship ends.

Dharma Teachers must remember that sexual harassment of any kind may violate national and local law. If criminal conduct is involved, local Sangha members are encouraged to contact law enforcement if the person impacted by the conduct consents. Dharma Teachers are expected to do our best to keep our Sanghas, retreats, and other events free of sexual harassment.

Sangha members and retreatants with sexual harassment complaints that cannot be resolved locally are encouraged to contact the Harmony Committee of the CTC. (harmony@orderofinterbeing.org). Upon receiving complaints with a clear request for action, the Care-Taking Council and the Harmony Committee will do their best to follow up fairly, quickly, and responsibly.