

# **Louisville Vipassana Community Ethical Guidelines Policy**

## **Introduction**

The Louisville Vipassana Community (LVC) is an informal meditation group in that we are local to Louisville, KY, are not incorporated as a non-profit organization or 501(c)(3) organization, and have no formal affiliation with any other meditation organization. In light of serious violations of ethical trust that have taken place in other groups, the Dharma Council (DC) of LVC has come to recognize the need for having a set of ethical guidelines and a clear grievance procedure in order to demonstrate our commitment to creating a safe environment for people to practice. Our hope is that the intentions and processes created here will fulfill that purpose. The Dharma Council reserves the right to modify these procedures as circumstances dictate.

Note that these guidelines do not address situations that might come up when people with challenging behaviors that negatively affect the meditative environment attend our group meeting or retreats (unless, of course, that behavior is reported as a grievance by another student). These cases are typically handled by the LVC teacher and sometimes with the assistance of the Dharma Council.

## **Definitions of terms in these guidelines**

Specific assumptions are being made for some of the terms used in this document:

- “Teacher” will refer to any person who acts as a dharma teacher in leading any LVC event. Typically, this would refer to the teachers who are members of LVC and are leading regular group meetings and retreats whatever the level of training of those persons. These guidelines will also apply to any invited guest who has been asked to lead at any LVC event.
- “Student” (as in “student of the dharma”) will refer to any person attending an LVC-sponsored event.
- “Dharma Council member” will refer to someone actively sitting on the LVC Dharma Council.

## **Teacher code of ethics**

Teachers should aspire to right conduct in every aspect of their lives. In this aspiration, they should commit themselves to maintaining the five precepts as the best guides and standards for thinking, words, and deeds. The Precepts are open to interpretation, however, so with this Ethics Agreement we establish a clear and specific set of minimum expectations to which teachers should be held. We hope that publicly specifying these standards of behavior will sharpen the awareness of ethical issues to protect and perpetuate the dharma.

Teachers recognize that their work is founded on trust – the trust to transmit the dharma faithfully and to provide students with respectful and appropriate instruction and structure for practice. Compassionate transmission of the dharma necessitates that teachers live up to the dharma’s ethical implications.

We recognize that teachers can fail their students in multiple ways and to vastly differing degrees. At one end of the range of severity are isolated errors and instances of neglect; it is quite possible, for example, to disappoint a student keenly by forgetting to return a telephone call. While we consider even the slightest failure unfortunate, as fallible beings we will all inevitably suffer lapses of this sort and simply have to be forgiven. The failures that concern us more, and that this Agreement is intended to address, are of greater severity – those that are demonstrably harmful to students, either to their practice or to their general well-being, either to one individual or a group. Teachers commit themselves to refrain altogether from such injurious conduct, but especially from any that are intentional, repeated or protracted in duration, deceitfully concealed, exploitive of a student’s trust, or any combination of the foregoing.

What follows is a framing of the 5 precepts to which LVC expects teachers to commit:

**1<sup>st</sup> precept**

Teachers undertake the precept to refrain from harming other beings and commit to the cultivation of compassion, wisdom, and understanding in all interactions with students. Teachers will honor the dignity of students by respecting students’ values, culture, conscience, and spirituality. They will recognize the inherent imbalance of power in the student-teacher relationship and take care not to exploit it.

Teachers assume responsibility for continuing personal growth and deepening dharma practice. They should nurture self-knowledge and freedom, and cultivate insight into the influences of culture, social-historical context, race and gender, sexual preference and identity, age, and environmental setting. Teachers who work particularly closely with students should consider receiving regular consultation from either a trusted peer or a mentor.

**2<sup>nd</sup> precept**

Teachers agree not to take that which does not belong to them and to respect the property of others. They agree to be honest in dealing with money. Teachers agree to offer teachings without favoritism in regard to any student’s financial circumstances.

Teachers agree to accept individual economic support (*dana*) from students only when it is freely given, never making it a direct requirement for instruction or attention. Teachers commit to practice, being aware of energy, words, or behavior that could be seen as coercive in regards to economic support.

Further, teachers agree that all financial dealings are transparent and will be shared either with the DC or, minimally, with the person functioning as treasurer.

### **3<sup>rd</sup> precept**

Teachers agree to avoid creating harm through sexuality and to avoid sexual exploitation or relationships of a sexual manner that are outside the bounds of the relationship commitments they have made to one another. All teachers agree not to use their teaching role to exploit their authority or position in order to assume a sexual relationship with a student.

Teachers should commit to being aware of their sexual energy and how it may impact other people. Teachers are expected not to get their intimacy needs met through relationships with students, but outside of the sangha. Teachers will establish and maintain appropriate physical and psychological boundaries with students. Teachers will refrain from sexualized behavior, including but not limited to manipulative or coercive behavior or language towards the student.

A teacher who receives sexual advances from a student is obligated to directly and unambiguously tell the person that such actions are detrimental to the student's spiritual training and will not be allowed.

A student who receives sexual advances or experiences inappropriate behavior from a teacher can follow the "Grievance Procedure" outlined in this document below.

Because of the implicit imbalances of power, if a teacher develops an attraction for a student that is affecting their role as a teacher, in order to take seriously the commitment to not harm, he or she should speak to the DC to help bring objectivity to the situation. Should a romantic relationship develop, the teacher must terminate the relationship with the sangha. If there are questions about individual circumstances, they should approach the Ethics Committee to help bring light to the situation.

### **4<sup>th</sup> precept**

Teachers agree to speak that which is true and useful and to refrain from gossip in the community. Teachers agree to hold confidential that which is explicitly provided in confidence. They agree to cultivate conscious and clear communication and to cultivate the quality of loving-kindness and honesty as the basis of speech.

In teacher-student interaction, teachers will keep confidential all oral, electronic, and written communication that is agreed upon to be private. Exceptions would be in the case of a student's potential harm to self or others in which case the teacher will invoke

appropriate LVC or legal interventions. Legal interventions include the mandatory reporting of suspected child physical or sexual abuse or neglect and elder abuse.

### **5<sup>th</sup> precept**

Teachers undertake the precept of refraining from intoxicants leading to heedlessness or loss of awareness. There should be no use of intoxicants at any LVC-sponsored events. Teachers agree not to misuse intoxicants at any time. If any teacher has a suspected drug or alcohol problem, it should be immediately reported to the DC.

## **Student code of ethics**

While all of the precepts apply to the community, the following are some specific guidelines students should keep in mind when interacting with other students and teachers:

- 3<sup>rd</sup> Precept — Students should be aware of keeping safe sexual and emotional boundaries with other students and with teachers and to communicate with integrity. If a student wants to deepen a relationship with another student, they might ask to meet together to discuss this somewhere outside of the group.
- Power issues — If there appears to be an issue of abuse or power between students, e.g. someone's abuser coming to the group, students are invited to talk to a teacher about it to explore options. If the student wishes further assistance, they can contact the DC or the Ethics Committee.
- If other unforeseen issues arise with which a student needs help and there are not readily available means of addressing them, students should contact a member of the Ethics Committee.

## **Grievance Procedure**

The LVC is obliged to make information about ethics and the grievance procedures publicly and widely available in the group, on the website, and/or by email notification, as deemed appropriate by the DC.

While there are many ways ethical issues might be addressed in the sangha without requiring a formal process, the LVC will maintain an Ethics Committee and a Grievance Procedure for the more difficult situations that cannot be resolved otherwise. The DC reserves the right to initiate a grievance procedure.

### **Ethics Committee**

The Ethics Committee will consist of a teacher, 2 DC members, a non-leader sangha member, and an outside party not involved with the group. The two positions of non-leader sangha member and outside party are chosen by the Dharma Council via a nomination and

unanimous-vote election process. An attempt will be made to keep a fair balance of women and men on the committee. For any specific grievance, if a committee member is one of the parties named in the incident, that member must be recused for the duration of the incident. For any specific grievance, committee members that might have a deeply personal connection with the person filing the grievance should recuse themselves or be recused by the remainder of the committee (by majority vote). There is no specific term limit for members of the committee. But the DC will check in with the Ethics Committee members yearly to see if they wish to continue. If a member wishes to leave the Committee, the process for replacing a member will be the same as above.

The committee will meet as needed to address matters involving ethics and is required to meet within 3 weeks of an incident brought up by a teacher or student (unless circumstances make that 3 week time frame impossible). A majority of the members of the committee need to be present at the meeting. If other data collection is needed, that should happen as soon as possible after the initial meeting. Someone from the Committee will be assigned the role of secretary to document recommendations and outcomes.

### **Grievance Process with the Ethics Committee**

If a student believes that a conflict or breach of trust has arisen and wishes to initiate a grievance process with the Ethics Committee — a conflict either with a teacher or with another student — the student's best interests and safety will be given top priority. It is essential that there be a path to effectively and safely address the conflict and work toward an acceptable resolution. It is the responsibility of the Ethics Committee to ensure that the matter is addressed appropriately and in a timely manner, and by following through with the issue to its conclusion.

The student may make an official complaint to the Ethics Committee by contacting the teacher or a DC member who sits on the committee. If one of the members of the committee is the person involved in the grievance, another candidate (at the same level position: DC member or teacher) will be chosen by the committee for the duration of the specific grievance. Until a grievance is resolved by the Ethics Committee, all information related to the grievance will remain confidential except as mandated by law.

Depending on the seriousness of the complaint against a teacher, the Ethics Committee may, with further council from the DC, determine that the teacher be placed on hiatus during the grievance process and until a fair resolution is determined.

## **Grievance Resolution**

The Ethics Committee will determine how to resolve the grievance either at the original meeting or after subsequent data collection and follow up. The Committee will then implement any recommended steps leading to resolution. These steps might include (but are not limited to) the following options:

- No action is needed. The parties came to an understanding without any further action.
- For conflicts that are not severe in nature (a judgment call, certainly) and are more interpersonal between 2 students, the Ethics Committee may choose to encourage the student to sit down and talk with the other (in keeping with the 4<sup>th</sup> precept) or with an Ethics Committee member as a third-party participant.
- The Ethics Committee, or someone from that Committee, may ask to mediate a meeting between the students as a way to come to resolution. This would need to be agreed upon by the parties involved.
- If agreed upon by the parties, the teacher and/or students would take part (on their own initiative) in an appropriate form of therapy or education around the related issue. The Ethics Committee reserves the right to evaluate the sufficiency of the intervention.
- Some disciplinary action is taken toward a teacher or student. This might involve asking a teacher to take a non- or reduced leadership role in the group for some period of time or asking a student to withdraw from group events for some period of time.
- For serious teacher offenses the full dismissal of a teacher from the LVC is possible.
- For serious student offenses a student may be requested to stop attending LVC group meetings and retreats altogether.

Recommendations and steps to resolution will be documented by the Ethics Committee. Serious ethical violations by a teacher or student will be communicated to the LVC sangha since there may be others who have been affected by the person in violation who would benefit from being informed of the situation and outcome. (Some level of respectful privacy of persons might be appropriate here with no intention to bring shame to someone who was involved.)

If the student feels it is appropriate, whether or not they have reported a formal complaint with the Ethics Committee, they have every right to seek help or advisement outside of the sangha, including but not limited to legal help and law enforcement.

### **“Return of merit” statement**

May our ethical conduct lead to the happiness and well-being of all students and teachers and of the dharma.

## Teacher's affirmation of these ethical guidelines

Anyone acting as a teacher at an LVC event is required to affirm and sign off on these guidelines before performing in that role.

Affirmation: As a teacher working with the Louisville Vipassana Community, I have read and affirm these Louisville Vipassana Community Ethical Guidelines and procedures. My commitment to maintain these ethical standards will remain in effect for the duration of my relationship with the LVC.

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*signature*

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*date*