

VI. FORMAL RESOLUTION

SILENT THUNDER ORDER

Revision 120627

INTRODUCTION

This procedure applies to grievances against: Abbess/Abbot (or Acting); Novice or Transmitted Priest; Senior Teacher or Disciple; BOD member; Affiliate Practice Leader; Sangha Member; or Guest; concerning alleged ethical violation or violations. The BOD shall, by a majority vote of the entire BOD, designate a standing Formal Grievance Committee (FGC) consisting of three BOD members. The FGC shall serve at the pleasure of the BOD. The alternate members of the Committee shall be three other BOD members, any of whom may be designated by the President of the BOD to serve in the place of a Committee member who is disqualified, or otherwise unable to serve. A quorum of the Committee shall consist of two members.

A. COMPLAINT; ACTION BY GRIEVANCE COMMITTEE

Any member may submit a written complaint directly to the FGC or through the BOD or any individual BOD Member. The Committee shall afford the complainant, and the person complained of, the opportunity to meet with the Committee. The Committee may also consider such additional evidence, and conduct such additional investigation, as it deems warranted under the circumstances.

The Committee may dismiss the complaint without further action if it determines either:

1. There is insufficient evidence of the truth of the allegations to warrant the complaint's referral to the full BOD for consideration
2. Even if the allegations in the complaint were true, no sanction against the person complained of would be appropriate.

Otherwise, the Committee shall refer the complaint to the BOD without determining its merits.

B. ACTION BY BOARD OF DIRECTORS

Upon the Committee's referral of a complaint to the BOD, or upon the Board's determination to consider a complaint as set forth below, the BOD shall meet to consider the complaint. The complainant and the person complained of shall have the opportunity to meet with the BOD. The BOD may also consider such additional evidence and conduct such additional investigation as it deems warranted under the circumstances.

The BOD shall then determine the merits of the complaint. If the BOD finds that a complaint has merit and that sanctions against the person complained of are appropriate, the Board shall have the authority to impose the following sanctions:

1. Private reprimand
2. Public reprimand or censure
3. Suspension from duties of office for up to one year
4. In the case of a person other than the Abbess/Abbot, removal from office
5. In the case of the Abbess/Abbot
 - a. Recommendation that a corporate meeting of the Members remove from office
 - b. Suspension from office pending a vote of the Members regarding removal

The affirmative vote of two-thirds of the members of the BOD shall be required to suspend or remove a person from office, or to put the question of removing the Abbess/Abbot from office to a vote of the Members at a corporate meeting. The BOD may also consider a complaint either:

1. Without preliminary action by the FGC
2. Despite the FGC prior dismissal of the complaint.

In addition, the BOD may, on its own motion, investigate the conduct of any person and act without the submission of a complaint.

C. DISQUALIFICATION FOR INTEREST

No BOD member shall participate, as a member of the FGC or as a member of the full BOD, in a proceeding under this grievance procedure if any of the following:

1. Such BOD Member is the complainant or the person complained of
2. If the BOD Member's personal relationship with the complainant or the person complained of would significantly affect the BOD Member's judgment regarding the matter
3. If for any other reason the BOD Member would not be able to render an impartial judgment regarding the matter

A BOD Member shall disqualify himself or herself if the provisions of the preceding sentence apply. Likewise a majority of the BOD, acting without the participation of the BOD Member in question, shall have the right to determine whether said BOD Member is qualified to participate in a grievance proceeding. However, the provisions of this paragraph shall not apply if their application would result in there being an insufficient number of BOD Members qualified to act under this grievance procedure.