

HEAR COMMITTEE MISSION AND FUNCTIONS

December 2021

The **Hearing, Ethics, and Reconciliation Committee (HEAR)** is a standing Committee of the Board of the Insight Meditation Community of Charlottesville (IMCC). We envision an equitable and genuinely inclusive sangha shaped by the active input of its members. In service of this vision, our mission is to collectively hear and respond with care to diverse community voices expressing creative ideas and joyful appreciation, as well as conflict and challenge. In approaching this mission, we recognize the importance of proactively creating open spaces for active listening, as well as providing confidential spaces for mediating conflict. In facilitating both functions, we commit to practicing Buddhist ethics. Our aim is that all members feel they are active and empowered participants in guiding how relational Dharma unfolds in our ever-changing community.

IMCC representatives who are widely respected for their maturity, integrity and lived practice will be nominated by each of IMCC's Affinity, Board, and Teachers groups and approved by a vote of the Board. HEAR will elect its own co-chairs from among its members. HEAR will meet on an as-needed basis, or when requested to do so by the IMCC Board chair. It also will be available to meet on an emergency basis and will address, as needed, five sets of circumstances:

1. Listening

The health of our community is not measured by the presence or absence of diversity. Different and even conflicting points of view will inevitably arise and can serve as the basis of insight and positive transformation at the level of individuals, relationships, and the sangha as a whole. The intention to attend to and learn from diverse views is a clear application of Buddhist practice in our daily lives; without this intention, practice can too easily be a comfort rather than a deep transformative vehicle for our lives. Because the process of exploring diverse views often requires conscious, facilitated support, HEAR offers structured opportunities for dialogue and sharing of ideas, as well as informal, ongoing hearing of feedback and concerns. As such, members of the committee may, at the request of IMCC members, Teachers, or Board, function as a listening ear across the wider community. In the context of the larger IMCC Mission statement, and in collaboration with other IMCC Committees and governing bodies such as DEIJ, The Teachers Council, Executive Committee, and Board, they will listen carefully and help guide both deeper reflection and any next steps that may (or may not) be needed.

To open fruitful Listening opportunities, HEAR will hold meetings once every two months that are open to the entire Sangha, and follow the procedure outlined in the Attached, "HEAR Committee's Deep Listening Process."

2. Ordinary Concerns

In consonance with the Buddhist practice of valuing dialogue over silence and reconciliation over estrangement, any HEAR member may be contacted by any IMCC member or group of members with a specific concern about decisions, finances, procedures, policies, customs, attitudes, practices, language, or behavior within the IMCC community. These may be minor or significant, may involve only one member or groups of people within IMCC. The Committee member will hear the concern in whatever way seems appropriate, including email, phone, or in person. The Committee Member may discern that it is skillful to bring other members of HEAR into the conversation for further exploration.

When an IMCC community difficulty is brought to HEAR and cannot be resolved through ordinary informal processes, HEAR is available to assist in dealing more formally with conflict and grievance. Buddhist conflict resolution is not based on good or bad, blame or guilt, winning or losing, offenders or victims. Rather it is based on fully addressing the suffering of all concerned. Hurt, fear, and anger are taken seriously through confidential forums in which everyone may speak honestly, safely, and completely about their own direct experiences and views. In looking for resolution, Buddhist practice values dialogue over ongoing silence, reconciliation over estrangement, forgiveness over resentment, confession over accusation, growth over shutting down, and atonement over punishment.

Assessing and Acting on Concerns

Once the HEAR member has heard the concern, s/he/they will make a decision regarding how to proceed with it. This may include simply providing information; meeting personally with the individual or group for problem solving session(s); directing the person to another appropriate IMCC committee, teacher, Board member, or resource; or referring the person to other useful resources outside of IMCC. In all cases, the Committee member will consult beforehand and/or report informally afterwards on the incident to at least one other member of HEAR. Together they will determine whether the existing resolution is satisfactory or if some deeper inquiry is needed. This may lead to an ending of the inquiry or, perhaps, to exploration through a larger IMCC Community dialogue in whatever form is deemed appropriate. The acting HEAR member(s) will make a confidential report to the larger HEAR Committee on the issue and its resolution.

If the issue is serious and continues to be unresolved, referral to the formal Grievance Process will be invited.

3. Formal Grievance Process

While most difficulties and disagreements will be able to be resolved informally, on rare occasions, a more formal process may be necessary. In such a case, the following grievance process is available.

a. Bringing a Concern

A formal grievance procedure is initiated by the complainant who will be asked to submit a written letter of request to HEAR that includes:

- A statement that a formal grievance procedure is requested.
- The name of the person(s) whose behavior the complaint involves.
- A detailed description of the alleged behavior so the HEAR Committee can decide if the complaint is appropriate for initiating a formal grievance procedure.
- A history of attempt(s), if any, to resolve the complaint through other means.
- A general statement about the resolution desired.

b. Accepting the Concern

HEAR will decide whether or not to accept the request and will convey its decision within two weeks to the parties involved. As part of this notification, HEAR will state its understanding of the issue under inquiry and will explain its decision. If a formal grievance procedure is initiated, HEAR will distribute a copy of the original letter of request to the person(s) named in the complaint and will form a Grievance Committee.

c. Forming a Grievance Committee

When a complaint is accepted, HEAR will select one of its members to facilitate a confidential Grievance Committee to investigate, issue findings, and render a decision on the complaint. The Grievance Committee will be made up of three people selected from HEAR. Each party to the grievance will choose one person and HEAR will select the third person. The HEAR facilitator will be a fourth member of the committee. S/he/they will facilitate the meeting but will not participate in decisions regarding resolution of the conflict at issue or vote on any action to be taken.

If any member of HEAR asked to serve in the Grievance Committee has a conflict of interest, s/he/they will recuse her/him/themselves from serving on the Committee.

d. Investigating the Concern

The facilitator will schedule, in a timely fashion, closed hearings where all parties are given a chance to present their understanding of the issue under investigation. The Grievance Committee may question parties and request additional information. The facilitator will document the proceedings.

The Grievance Committee may ask other people to provide information pertinent to the complaint. All parties will have a full and fair opportunity to respond to all information – oral, written, or other – gathered by the Committee.

The proceedings and all pertinent documents will be held confidentially, not only for the duration of the proceedings, but in perpetuity, unless a court of law requires disclosure.

e. Committee Findings

When the Grievance Committee members are satisfied that they are adequately informed, they will review and discuss the case among themselves. At its discretion, the Committee may seek non-binding advice from any other source who agrees to hold the matters discussed in confidence. The Committee's decision should be reached by consensus. If unanimity cannot be reached, both a majority and a minority decision may be reached. Within two weeks of a decision(s), all parties will reconvene at which time the Committee will distribute copies of its written findings and read them aloud. For matters involving the potential suspension of an IMCC teacher, the Grievance Committee may consult with the IMCC Executive Committee and its Board of Directors to jointly determine the best course of action.

In the case of either ordinary concerns or formal grievance process, the person coordinating the hearing will maintain close contact with the IMCC Board Chair regarding the progress of the proceedings. Together they will notify the IMCC Board that these actions are in process and will report on the outcomes to the full Board.

4. Ongoing Security or Safety Procedure

HEAR will also be available to convene and act quickly in situations where the security, safety or general well-being of the IMCC community with respect to the speech or behavior of other community member(s) is brought into question. (Note: Issues with respect to emergency threats on, or in, the IMCC community will not be managed by HEAR team. These will be addressed via a separate policy to be enacted and managed directly by the IMCC Board.)

a. Bringing a Concern

Any participant in the IMCC community may bring a concern to any Teacher, Board Member, or HEAR member about the potential threat of harm to self or community posed by any other participant. A HEAR member will immediately inquire into the reported threat. If the threat is deemed by the investigating HEAR member as potentially credible, then the person identified as a potential threat will be referred as soon as possible for assessment (see "c" below). If not, then both the person who felt threatened and the person initially identified as a threat will be referred to HEAR for the "Ordinary Concerns" or "Grievance Process" or external support/resolution as appropriate and as outlined above.

b. Assessing the Concern

If after initial investigation HEAR, Board, and/or Teachers considers someone a credible potential threat to the safety of another IMCC participant or the Community, the person posing the potential threat will be referred to a qualified professional for a formal Risk Assessment. If that person refuses such an assessment, they will be separated from IMCC.

c. Defusing the Concern

If the qualified professional finds through formal Risk Assessment that the identified person is at risk for harming others, s/he/they will be referred to appropriate mental health and/or public safety resources and, until the safety of all can be assured, will be separated from IMCC.

The qualified professional and/or HEAR members may report that person to law enforcement if they pose an imminent threat to the safety of another person or the public. (Note: according to the Virginia Code of Ethics for Psychologists, Social Workers, and Medical Personnel, depending on the circumstance, the licensed professionals on HEAR may be legally mandated to make such a report.)

If the person is not found by the qualified professional to pose a threat to others, s/he/they will be referred to the IMCC "Ordinary Concerns" or "Grievance Process" above, and/or external resources for treatment and support.

d. Follow Up

A member of HEAR will document the case to completion, and send the report to the full HEAR Committee, Board, and Teachers. A HEAR member will follow up with the IMCC member who brought the report of potential threat to ensure their safety and comfort within IMCC and refer her/him/they for external support or treatment as appropriate.

5. Concern Regarding the Ethical Conduct of an IMCC Teacher

Serious concerns regarding the ethical conduct (see separate "Code of Ethics" document) of a teacher will be addressed through the same procedure(s) as outlined in the "Grievance Process" above.

Record-keeping

Each HEAR committee member will keep a simple tally of numbers of their HEAR contacts with the IMCC community. This is to include both numbers of contacts and which of the five categories any contact fell into: simple listening, ordinary concern; general grievance; security

concern; or grievance against a teacher. If it was an actual formal grievance process the HEAR member(s) who managed that issue will also write a summary of the process. The informal counts and the more detailed summaries will be kept on file both by the HEAR co-chairs and by the IMCC Operations Manager.

In keeping with IMCC by-laws, HEAR will report directly to the IMCC Board of Directors which will have final authority about all aspects of the functioning of the committee.

*With grateful acknowledgement of guidance from the policies of the Insight Meditation Center, Spirit Rock Meditation Center, the Metta Foundation, and New York Insight.