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## ***Safer Sanghas***

You would think that a Buddhist temple would be a safe place, a place of peace and harmony, a place where students can explore their spirituality without fear. Unfortunately, however, some temples are not safe places for everyone. There are teachers who use their students for sexual gratification - often under the guise of "enlightenment" -- and some teacher's methods are physically abusive.

Those who want to make their temple a safe place for everyone can evaluate their organization using four elements:

1. **Strong bylaws**
2. Clear policies
3. Solid grievance procedure
4. Training for teachers and students.

In this and the next three issues of our newsletter, we will take up each element to provide guidelines to increase safety in your organization. In this issue we address **by-laws**.



## ***Bylaws Defined***

Bylaws are a legal document that dictates how an organization must be governed. Too often, the founders of an organization write a set of bylaws in order to meet state incorporation requirements. Then they gradually forget the bylaws and start operating according to what seems expedient at the time: they might skip the annual meeting, lose track of member records, keep board members on the board far beyond the term limit, and so on.

Boards of nonprofit corporations that ignore the bylaws are setting themselves up to be on the losing side of a lawsuit because they may have:

- Acted outside the scope of authority established in the bylaws,
- Breached their fiduciary duties\*\*,
- Ignored the rights of the nonprofit corporation, and/or
- Invalidated directors and officers (D&O) insurance and corporate indemnification.

\*\* Please see the article on fiduciary responsibilities in this newsletter.

## ***Bylaws: Steps YOU Can Take***

*1. Know what is in your organization's bylaws. Get a copy and read it. If you don't understand it, ask for clarification.*

*2. Follow the bylaws provisions rigorously. Boards have a duty to follow the bylaws -- it's not optional.*

*3. Keep your bylaws current. Things change. If your bylaws need to be updated, amend them - being sure that changes make long-term sense. Follow the amendment procedures.*

*4. Be sure your bylaws provide for a balance of power between the board and the spiritual leader and clearly spell out how board members and spiritual leaders are selected as well as how they can be removed, if necessary.*

*5. Review the bylaws annually. Provide a copy of the bylaws to new board members and discuss the provisions in a meeting. Give a copy of the bylaws to all new members of the sangha.*

## ***What Does "Fiduciary" Mean?***

A fiduciary is "An individual in whom another has placed the utmost trust and confidence to manage and protect property or money. The relationship wherein one person has an obligation to act for another's benefit" <http://legal-dictionary.thefreedictionary.com/fiduciary>.



"Fiduciary duty requires board members to stay objective, unselfish, responsible, honest, trustworthy, and efficient. Board members, as stewards of public trust, must always act for the good of the organization, rather than for the benefit of themselves. They need to exercise reasonable care in all decision making, without placing the organization under unnecessary risk" (BoardSource, Board Basics 101). [Click here](#) for an article on fiduciary duties.

## ***Meet Our Governance Consultant***



Katheryn Wiedman, Ph.D., *An Olive Branch* Co-Director, is an experienced and knowledgeable consultant to nonprofit organizations' boards of directors. She is a BoardSource Certified Governance Trainer and has worked with over 40 boards, helping them understand their fiduciary responsibilities. Bylaws reviews, board assessments, and nominating procedures are also areas of expertise. She coaches both boards and executives in becoming effective partners in leading their organization to excellence. "Boards and executives/temple leaders must cultivate a balance of power, each respecting the other's area of responsibility and competence," she says. "That's when an organization is making the most of all of its resources."

To start a conversation, contact Wiedman at [kwiedman@an-olive-branch.org](mailto:kwiedman@an-olive-branch.org) or call 412-99-OLIVE (412-996-5483).

## ***Dealing with the Aftermath of Sexual Misconduct in Religious Organizations***

Suffering sexual abuse at the hands of a spiritual leader represents an egregious violation of trust. Such abuse leaves life-long scars on its victims - scars including depression, anxiety, dissociation, conduct disorders, aggressiveness, loss of self-esteem, self-destructive behavior, and interpersonal problems. In cases where the abuse occurs in a religious context, victims may also experience profound damage to their spirituality. Unless treated, these consequences can be debilitating for victims and their families.



Sexual abuse by clerics also generates tremendous conflict that can rip spiritual communities apart because different groups within the community respond differently to the news of the abuse. *An Olive Branch* recommends the use of *forums for compassion* to help repair the damage. To read the full article click [here](#).

## ***Learning How to Talk in a Conflict***

On July 11, 2014, in Pittsburgh, *An Olive Branch* conducted a workshop called *Difficult Conversations: transforming conflict into collaboration* for interns at the Pittsburgh regional office of the Student Conservation Association (SCA). The Association is nationwide non-profit dedicated to generating the next generation of conservationists through hands-on service for youth. This is the second time this workshop has been given at the Pittsburgh office. We have also presented this workshop for the Minnesota Zen Meditation Center and have occasionally held sessions open to the public. *An Olive Branch* trainers in Pittsburgh for this session were Ryan Minster and Anthony Roscoe.

The workshop applies the professional interest-based mediation process to interpersonal relationships in daily life. This workshop helps participants understand conflict, identify their habitual reactions to conflict in various relationships, and learn and practice a process to achieve resolution in difficult conversations.

In July, the workshop was held in the SCA board room on the 21st floor of a downtown Pittsburgh office building, offering an inspiring view and bright sunlight for the eight-hour workshop. The SCA interns were a lively bunch, asking questions about the practicality and the challenges of the process, as well as offering insights from their own experiences with conflict and conflict resolution. During the role-play elements of the workshop, they demonstrated one of the remarkable elements of the conflict transformation process – that the resolutions reached often contain elements that could not have been foreseen ahead of time. For instance, one resolution to a problem of gas station parking lot flooding a neighboring lot was a proposal to educate the community in the use of rain barrels to capture runoff.

When participants were asked what they liked best about the training, they wrote:

- "Clear path to interacting in the midst of difficulty"

- "Valuable skillset, dynamic presentation, clear explanations..."
- "Concrete information, well-organized, presenters seasoned and engaged."

*An Olive Branch* offers *Difficult Conversations* as professional communications training for groups and nonprofit organizations. For more information, please visit our website ([www.an-olive-branch.org](http://www.an-olive-branch.org)), email us at [info@an-olive-branch.org](mailto:info@an-olive-branch.org) or call 412-99-OLIVE (412-996-5483).

***An Olive Branch strengthens organizations by helping leaders understand the role of conflict in organizational health.***

- *To proactively address conflict, we offer dispute resolution training and help organizations design ethical governance procedures.*
- *To respond in the midst of disruptive conflict, we provide processes for healing and restoring harmony.*

*An Olive Branch brings the calming influence of a neutral third party, inspired by the tradition of Buddhist teaching that stretches over 2500 years.*

*More information: [here](#).*

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