Chapter 7: Guidelines and Procedures for Addressing Misconduct

Polishing Ourselves as Human Beings—Encouragement From SGI President Ikeda

Just because we practice the Daishonin’s Buddhism, however, doesn’t make us in any way special. Essentially we are no way different from other people, except for the fact that we base ourselves on chanting to the Gohonzon. There is no such thing as a special kind of human being. To assume an elitist air is the behavior of fanatics. We have no room for such people in the SGI.

Human beings are just that—human beings. They can never be anything more. Consequently, the true purpose of faith is to enable human beings to polish and develop themselves as human beings.

In particular, we must ensure that we do not have leaders who, suffering from delusions of grandeur, become dictatorial, highhanded and oppressive toward the members. This is the exact opposite of what a leader should be.

(My Dear Friends in America, third edition, p. 355)

Guidelines for Addressing Misconduct

The SGI-USA has no desire to involve itself in the private lives of leaders. However, when personal behavior negatively impacts the faith and unity of members, the organization has a responsibility to address that behavior and the right to enforce its policies. Any allegation of unacceptable conduct (behaviors of members or leaders that are contrary to those outlined earlier in this Leadership Manual) should be taken seriously, promptly investigated and acted upon.

Addressing inappropriate behavior may include dialogue to explain the concerns and clarify the facts, guidance in faith, and if further action is deemed necessary, the inappropriate behavior may lead to suspension or dismissal from their leadership position or membership. (Please refer to the “Course of Action for Investigating Allegations of Misconduct” section for further details on pp. 90–91.) Listed below is further explanation of the SGI-USA Code of Conduct for Leaders (see pp. 64–85).

These guidelines are general and may not cover all situations. For further clarification, please discuss each situation with the leaders in your local organization.

General Statement on Inappropriate Financial and Business Dealings

Josei Toda, the second Soka Gakkai president, made every possible effort to keep the Soka Gakkai an organization devoted to the promotion of faith in Nichiren Buddhism. While the business world is generally concerned with profit, the driving force of the SGI is the pursuit of faith.

President Toda perceived early on that financial dealings among members posed a significant threat to maintaining harmonious unity among believers. Specifically, he felt that the borrowing and lending of money between members and the promotion/solicitation of business,
products or services within our organization would hinder people’s efforts to become happy through faith. For these reasons, he strictly prohibited these dealings among members and admonished leaders who abused their positions.

Whenever we encounter SGI members, it should be as comrades in faith and fellow Bodhisattvas of the Earth—never as potential customers or investors.

**Lending Money**

Personal loans are often not repaid or not repaid on time. Any debt can easily generate bad feelings. It can also create a situation where the person who owes money becomes embarrassed or reluctant to participate in faith activities.

In *The New Human Revolution*, SGI President Ikeda writes: “The reason that second Soka Gakkai president, Josei Toda, strictly prohibited borrowing and lending among members was to prevent them from being exploited for financial gain. In addition, the disputes that sometimes arise from such dealings were bound to have an impact on the organization as a whole and rouse sentiments of anger and resentment among members” (vol. 8, p. 236).

Helping another member financially does not address the real causes of suffering the borrower is experiencing and may perpetuate a dependency on others. While lending money may seem humanistic, such actions may actually be lacking in Buddhist compassion.

It is only by encouraging members to use their Buddhist practice to address their financial problems that they can realize that the solution already exists within their lives.

**Solicitation/Promotion (Business or Personal)**

As members of the SGI-USA, we are not to solicit business or investments from fellow members—for ourselves or on behalf of others. The very moment we approach a member with such a business opportunity—no matter how beneficial we may think the product or service—we have transformed a relationship based on faith into one based on profit.

For example, if you own a business and invite members to use your services, if you or someone you know distributes flyers to members or if you use the membership list to contact people about your business, then clearly you are soliciting business from fellow members. This is not permitted in our organization whether the business is owned by you or someone else—the point is to not solicit or promote.

Another example of inappropriate solicitation/promotion is personal fundraising within the organization. While raising funds for a personal cause or a cause outside of the organization may be honorable, it is inappropriate within the organization. Members may feel obligated to participate when money is solicited in the organizational environment and is therefore not permitted.

One recurring problem is multi-level marking, which is never tolerated in the SGI-USA.

**Why Multi-level Marketing Is Not Tolerated Within the SGI-USA**

Since people build this type of business based on an ever-expanding network of relationships, the SGI-USA may appear as a perfect environment of trusting, personable and proactive people. When promoted within the SGI-USA, members become future prospects and the organization becomes a marketplace.

The reason multi-level marketing is of most concern is that each customer or client that purchases the product is urged to become a distributor as well. Then each of these client distributors competes to find new client-distributors, often within the SGI-USA. This contrasts with most other business scenarios where, once a product or service has been purchased, the transaction has ended.

Furthermore, when it becomes clear that a leader/member or a third party on their behalf has begun building a network to recruit distributors or sell products/services within the organization, removing this network can become a difficult, emotionally tangled process that polarizes the membership.

Past experience has shown that the process of eliminating these types of networks once they have already spread can generate animosity among members of differing views and could create factions on both sides, which may ultimately weaken or destroy the organization.
Sexual Misconduct

Sexual misconduct is defined as any unwanted behavior of a sexual or intimate nature. It includes unwelcome advances or any activity committed by force, intimidation, coercion, or manipulation. Sexual misconduct can be committed by a person of any gender, and it can occur between people of the same or different genders. The SGI-USA is committed to maintaining an environment free of all forms of discrimination, harassment, exploitation, or intimidation. Sexual misconduct by any leader, member, or guest of the SGI-USA shall not be tolerated.

Examples of Sexual Misconduct

- Making unsolicited sexual advances and propositions
- Using sexually charged words to describe an individual or an individual's body
- Telling inappropriate or sexually related jokes
- Sexual touch or other intrusive touching (i.e., kissing, prolonged hugging, tickling, wrestling or other physical contact) that causes uneasiness or discomfort in the one being touched
- An inappropriate gift (such as lingerie)
- Showing sexually suggestive objects or pornography
- Innuendo, sexual talk or comments
- Tales of sexual exploits, experiences or conflicts

Reporting Allegations

SGI-USA has set up a hotline for anyone to report allegations of sexual misconduct. Anyone suspecting or having knowledge of sexual misconduct is encouraged to report this to SGI-USA's hotline at (833) 680-0002. (Please note that this does not replace any civil or criminal remedies that the victim of the alleged misconduct may choose to pursue against the individual who allegedly engaged in misconduct).

All allegations of sexual misconduct within SGI-USA shall be taken seriously. Every allegation shall be reviewed, investigated, and acted upon in accordance with the terms
of this policy. In the context of this policy, no adverse finding shall be made public or revealed against an accused person except on a need-to-know basis until a full investigation is completed and it has been determined that the complaint has been properly substantiated.

Investigating Allegations

Within 24 hours of receiving an allegation of sexual misconduct on the hotline, a committee will be assigned to investigate the allegations. The committee will be at least two members, selected from among senior leaders who are not in regular communication with the accused and who are committed to objectivity throughout the investigation.

If the allegation involves a minor, the committee shall:
1. immediately remove the alleged offender (without implication of guilt or innocence) from contact with minors until the investigation is completed and a resolution of the allegations has occurred;
2. consult with the SGI-USA Legal Department to ensure appropriate steps are taken to properly handle this kind of situation, including notifying the parents or guardian of the minor. Each state has its own laws on reporting abuse of minors.

Conclusion of Investigation

If there is a finding that the allegations were made in good faith but no sexual misconduct occurred—
1. Faith guidance and encouragement should be provided to the parties involved, so that everyone can move forward from the incident.
2. The individual who brought the allegations shall not be adversely regarded in the organization.
3. Transferring the individuals so that they are not in the same organizational unit may be considered.

If there is a finding that sexual misconduct occurred—
1. The individual shall be removed from SGI-USA leadership and receive a written reprimand with defined expectations for changed behavior, including notification to the affected organization, as appropriate.
2. A note shall be placed in the individual's SGI-USA membership record, reflecting the sexual misconduct. In extreme cases, the individual shall be either suspended or terminated from SGI-USA membership.
3. If appropriate, professional counseling may be recommended to help the individual not repeat the same behavior again.
4. Again, the victim may or may not choose to pursue private legal action against the offender.

General Statement on the Violation of the Privacy and Confidentiality of Members

Violating the privacy of members is prohibited. This includes, but is not limited to, the misuse of personal information such as addresses, phone numbers or email addresses, or betraying the confidentiality of information received from members. Gossiping is never permitted. While maintaining confidentiality about the identity of the person involved, for matters involving felony criminal offenses or life and death matters, guidance should be sought from one's organizational leaders.

General Statement on Unacceptable Conduct and Disruptive Behavior During SGI-USA Activities

Engaging in any speech or behavior during SGI-USA activities that disturbs the faith and practice of the members, disrupts the harmonious unity of the organization or harms the good name and/or reputation of the SGI-USA is prohibited. This includes, but is not limited to, being under the influence of alcohol or illegal drugs; being involved in or condoning underage drinking; the use, solicitation, and/or the selling of illegal drugs; engaging in gambling or betting; the spreading of rumors and/or lies; telling vulgar jokes; using profanity or racial epithets; or malicious, belligerent or threatening behavior.

Course of Action for Investigating Allegations of Misconduct

While the vast majority of SGI-USA members are of outstanding character and are ethical individuals who would not intentionally engage in an act of misconduct, situations have occurred, whether intentional or not, that have caused disruption in the unity and faith of members.

Any allegation of misconduct should be taken seriously and acted upon promptly regardless of the parties involved. The credibility and truth of any serious allegation should be reviewed in light of the available facts using the collective experience and judgment of the Personnel Committee members at the appropriate level. The potential harm to the members involved, as well as to the organization, is simply too great to leave any allegation unresolved.
It is impossible to cover every potential scenario, so great care should be taken in discussing and evaluating each situation. While each organization should be cautious about overreacting to baseless concerns, it is vital that in all cases of alleged misconduct, appropriate investigation, documentation and follow-up be completed. All documentation will be maintained in confidential files at the territory offices. However, if you feel that misconduct has been committed, please take appropriate action.

The following actions should be taken upon receiving an allegation of misconduct:

As the initial step, faith encouragement and guidance should be offered as a means to resolve differences between parties. However, if this fails to resolve the issues, the following guidelines are meant to assist four-divisional leaders at the appropriate level in evaluating allegations of misconduct by leaders or members and determining the proper course of action.

1. Discuss allegations — The Personnel Committee at the level above that of the person being accused should meet to discuss the nature of the allegation. If the committee determines that the allegations warrant further investigation, then a visit should be scheduled with the person making the accusation. The committee should select two representatives from the men’s and women’s divisions to meet with the person making the accusation and any other members involved who can provide information regarding the allegations. When a member or leader of the youth division is involved, an appropriate youth division leader may join the meeting.

2. Investigate the allegations — The Personnel Committee representatives should meet with the person making the accusation to determine the source, validity and facts surrounding the behavior of the person being accused and the allegations made against that person. Interim guidance may be given to prevent any escalation of tension and to prevent the spreading of information that dis credits the individuals involved. The representative leaders, as needed, may meet with other individuals to verify the facts. Discretion should be used in sharing this information with any other leaders or members.

3. Discuss allegations with the person being accused — If the information received through the investigation validates the allegations, then a visit should be scheduled with the person being accused.

The allegations should be explained and the person being accused given an opportunity to reply to them. The Personnel Committee representative leaders should give encouragement but reserve any final decision pending a review and decision by all members of the Personnel Committee.

4. Review the facts — The Personnel Committee should reconvene to discuss the facts as relayed by the representative men’s and women’s division leaders who conducted the visits. The discussion should be based on facts and a determination should be made if enough information has been obtained to make a decision, or if more information is required.

5. Report proposed action to the next level Personnel Committee — If the allegations prove to be true, either by admission or by strongly compelling evidence, the Personnel Committee should make a proposal to the next level Personnel Committee. If allegations prove to be false and no further evidence is developed, then the person being accused should be revisited and notified of the fact that no action will be taken. The person making the accusation should also be visited and notified of the decision.

6. Decision by the next level Personnel Committee — If the allegations prove to be true, the next level Personnel Committee reviews all information and makes a decision regarding what course of action should be taken, including removal of leadership.

7. Guidance — The selected men’s and women’s division leaders should revisit all parties involved to provide guidance in faith and direction. After an appropriate length of time, the person being accused should be revisited and a dialogue should occur to discuss the allegations. Guidance should be given to all parties regardless of the decision by the Personnel Committees that the spreading of rumors, falsehoods or opinions is itself a source of disunity and will not be tolerated.

It is possible at this point in the process, depending on the findings of the investigation, for the representatives to report back to the appropriate Personnel Committee that the allegations are unwarranted and should be dismissed or that the person making the accusation is unwilling to proceed and has in effect dropped the allegation.
2. Approval
The submitted recommendation for dismissal is reviewed by the Personnel Committee two levels above the current leadership level of the individual being considered for dismissal. Based on the review of the facts presented to them, the approving Personnel Committee may approve or deny the recommendation for dismissal.

3. Notification
The leader should be informed in person of the approving Personnel Committee’s decision. If the committee’s decision is to dismiss the current leader from their position or the member from the organization, then the organization should inform the membership of this dismissal where appropriate. In addition, every effort should be made to encourage the dismissed leader to continue practicing in the organization (where appropriate, as decided by the recommending Personnel Committee) or to encourage the dismissed member.

4. Appeals
The appeal Personnel Committee, which is three levels above the current leadership level (region for membership issues) of the individual being considered for dismissal, is responsible for reviewing the decisions of the recommending and approving Personnel Committees to ensure that leadership matters are being handled consistent with the policies of the SGI-USA. The appeal Personnel Committee has the authority to overturn decisions made by other Personnel Committees.

If the individual disagrees with the dismissal of their leadership, he or she should be informed that they must submit a written appeal within three days of their notification to the appropriate appeal Personnel Committee. After careful and thorough review of the written appeal, the appeal Personnel Committee should report their decision to both the individual making the request and the Personnel Committees involved.

Please Note: If the allegations are of a physical or sexual abuse nature related to a minor, the Zone and Territory Personnel Committees should be immediately notified. Each state has its own laws on reporting abuse of minors and hotline reporting procedures. The Zone and Territory Personnel Committees will consult with the SGI-USA Legal Department to ensure appropriate steps are taken to properly handle this kind of situation.

Dismissal or Suspension From Leadership Positions

Dismissals
The dismissal of a leader may occur at any time when a leader is unwilling or unable to fulfill the responsibilities of leadership as outlined in the SGI-USA Code of Conduct for Leaders and this Leadership Manual.

The dismissal (termination of membership) of a member is addressed in the SGI-USA Charter (http://www.sgi-usa.org/memberresources/leaders/sgiusa_charter.php).

Once the recommending Personnel Committee has followed all procedures listed in the “Guidelines for Addressing Misconduct” (see pp. 87–89) and has determined that a leader or member should be dismissed (or otherwise disciplined), the following steps should be taken:

1. Recommendation
Dismissals are recommended by the Personnel Committee one level above the current leadership level of the individual being considered for dismissal. A written explanation, signed by the members of the recommending Personnel Committee, should be submitted to the approving Personnel Committee along with any other pertinent documents.

Please Note: In the event that the recommending Personnel Committee is unable to reach a consensus about the dismissal of a leader or member, yet compelling facts exist that warrant action be taken, the dismissal process may be initiated by a higher level Personnel Committee (see chart below).
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<tr>
<th>Level of Dismissal</th>
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<td>Chapter Personnel Committee</td>
<td>Region Personnel Committee</td>
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**Reinstatement Procedure for Suspended Members**

- The person should submit a written request for reinstatement to the Region Personnel Committee.
- The Region Personnel Committee reviews the request, interviewing the person while taking into consideration present circumstances and what has transpired since the original suspension of membership.
- The Region Personnel Committee makes a recommendation to the Zone Personnel Committee, including any proposed restrictions on activities if conditional reinstatement is recommended.
- The Zone Personnel Committee reviews the recommendation and makes the final decision.
- The territory office must be included in appropriate documentation and accurate record-keeping.

**Forms**

Investigating Allegations of Misconduct Form *(see p. 93)*—
http://www.sgi-usa.org/leaders/Forms_for_leaders/index.php
Investigating Allegations of Misconduct Form

PERSONAL INFORMATION OF ACCUSED

 Territory: __________________________ Zone: __________________________

 Name: __________________________ Division: __________________________ Position: __________________________

 Region: __________________________ Chapter: __________________________ District: __________________________

INFORMATION ABOUT INVESTIGATION TEAM (WD/MD, YOUTH-OPTIONAL)

 Name: __________________________ Division: __________________________ Position: __________________________

 Region: __________________________ Chapter: __________________________ District: __________________________

 Name: __________________________ Division: __________________________ Position: __________________________

 Region: __________________________ Chapter: __________________________ District: __________________________

 THE FOLLOWING ACTIONS SHOULD BE TAKEN UPON RECEIVING AN ALLEGATION OF MISCONDUCT

STEP 1: Discuss Allegations

Date: __________________________

☐ The Personnel Committee (at the level above the accused) meet

STEP 2: Investigate Allegations with the Person Making the Allegation

Date: __________________________

☐ Representatives from the MD and WD (Youth, where appropriate) chosen by the appropriate Personnel Committee meet with the person making the allegation and determine the source, validity and facts of the allegations

☐ Report back to the appropriate Personnel Committee to discuss whether or not to dismiss or pursue the allegations

PLEASE NOTE: If the allegations are found to be unwarranted, the process ends and decisions should be communicated back to all the parties involved.
Convicted/Registered Sex Offenders

The SGI-USA respects the inherent dignity of each individual and is committed to being open to all persons who sincerely strive to correctly practice Nichiren Buddhism. Our motivation in publishing this section is based on the determination to create a safe environment for all SGI-USA members.

A special situation occurs when a registered sex offender joins the SGI or their presence within the organization is discovered. In these cases, procedures must be followed to maintain a safe environment for all, as well as to reassure members and parents that the SGI-USA views their and their children's safety and well-being as a top priority.

Crimes of this nature vary greatly, and care must be taken to investigate the actual offense that was committed. Being registered as a sex offender often requires lifetime registry and there are cases when a person has committed a minor offense, such as urinating in public, but is still required to be registered. At the same time, some of the offenses are very severe, and crimes of a sexual nature have the highest rate of repeat offense. It is important to take great care when investigating these offenses — investigation must be thorough but we must also use strict confidentiality in order to protect both the members of the SGI-USA and the member being investigated.

Investigating a Registered Sex Offender or Investigating Allegations

◆ Once an organizational unit has been informed that a member within their unit may be a registered sex offender, they should immediately notify their chapter leaders.

◆ Chapter leaders, in discussion with region through territory leaders, should verify the validity of this information. Information on registered sex offenders is public and can be obtained by visiting www.nsopr.gov

◆ Follow “Course of Action for Investigating Allegations of Misconduct” (see pages 90–91).

Investigation Determines that the Registered Sex Offender Does Pose a Safety Risk to Members

◆ Follow “Course of Action for Investigating Allegations of Misconduct” (see pages 90–91) to discuss the limitations of the member’s participation in SGI-USA activities.

◆ All district, chapter and region leaders within the member's organization shall be informed of the person's status as a registered sex offender and the limitation of their activities, so the leaders can protect the members of the organization and support the member. The region through territory leaders should determine which members, if any, need to be informed.

Limitations in Participating in SGI-USA Activities

Registered sex offenders who pose a safety risk to SGI-USA members:

◆ May not attend activities at any SGI-USA facility;

◆ Shall be a member of a district only for the purpose of receiving publications and assigning leaders to assist their practice;*

◆ Shall not hold any leadership position in the organization;

◆ Shall not be allowed to participate in activities for youth, including volunteering, telephoning, e-mailing, chaperoning, driving or otherwise transporting youth;

◆ Shall politely and immediately excuse him/herself from any situation if a minor approaches him/her.

*If appropriate, a chapter leader may be assigned to support the member on a strictly voluntary basis only. This assignment must be approved by the region through territory leaders.

Please Note: Any youth division member who is a registered sex offender and poses a safety risk to members must immediately graduate to the men's or women's division.

Investigation Determines That the Person Does Not Pose a Safety Risk to Members

If it is determined that the member being investigated does not pose a safety risk to members, please refer to instructions under the “Course of Action for Investigating Allegations of Misconduct” section (see pages 90–91) under the heading “Report proposed action to the next level Personnel Committee” (see page 91).