

**GOVERNANCE POLICY #7– STATUS REVIEW FOR LEADERS
FOR
SOKA GAKKAI INTERNATIONAL ASSOCIATION OF CANADA
ASSOCIATION DE LA SOKA GAKKAI INTERNATIONALE DU CANADA
(a federal corporation)
hereinafter referred to as “SGI Canada”.**

Policy Type: Governance

Policy #7

Status:

Date of Last Revision: September 12, 2014

This Governance Policy emanates from General Operating Bylaw No. 8 for SGI Canada, as amended from time to time, and is to be read in conjunction with Bylaw 8 and the other Policies adopted pursuant to Bylaw No. 8.

The definitions contained in Bylaw No. 8, as amended from time to time, shall apply to the provisions of this Governance Policy.

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INTRODUCTION

In the history of the Soka Gakkai and the SGI, there have been individuals who have sought to undermine or harm the organization, and there have been individuals who have caused extensive suffering to others through abusive behaviour or self-serving schemes to enrich themselves at the expense of their fellow practitioners. In order to protect the organization and those who belong to it, it is therefore necessary to have in place a procedure for dealing with extreme situations like these.

In some cases, criminal activity may be at the heart of the situation. When criminal activity is involved, the police and the criminal justice system must be brought in, and this Policy would not play a role in determining the innocence or guilt of the Individual in question under governmental criminal laws.

Leadership and Practitioner Status Review would be exercised only in the most extreme cases, where deliberate and ongoing negative behaviour is causing suffering to individuals in the organization, or where a deliberate attempt is being made to cause harm to the SGI Canada organization.

Leadership Status Review without Practitioner Status Review would apply where a Leader has breached a Leadership Standard but has not breached a Practitioner Standard. Appointed Leaders carry the added responsibility of encouraging and supporting their fellow Practitioners and, as such, they are in a position of trust. If that trust is betrayed or if a Leader uses his or her position to take advantage of or abuse Practitioners, it could lead to Leadership Status Review, but may not be serious enough to bring into

question the individual's status as a Practitioner. If such behaviour is serious enough to warrant Practitioner Status Review, the Leader could be subject to both Practitioner Status Review and Leadership Status Review. This policy only deals with Leadership Status Review. The Policy on Practitioner Status Review would also be used if both Leadership and Practitioner Standards had been breached.

BRIEF EXPLANATION OF THIS POLICY

This Policy describes the Leadership Status Review procedure for Leaders that applies where a Leader is alleged to have breached a Leadership Standard described in Section 1.07 of the Governance Policy on Leaders. The primary aim of Leadership Status Review is to restore the Leader to a healthy relationship with other Practitioners and Leaders of SGI Canada in accordance with the principles of Soka Gakkai Nichiren Buddhism. Leadership Status Review will only be carried out in the most difficult situations where a Leader has breached a Leadership Standard contained in section 1.07 of the Governance Policy on Leaders and refuses to discontinue the breach despite SGI Canada's repeated attempts to resolve the issues through informal discussions as outlined in section 1.08 of the Governance Policy on Leaders. Leadership Status Review would only occur after completion of the extensive informal discussion process with responsible Leaders, described in Section 1.08 of the Governance Policy on Leaders, to ensure every effort has been made to informally resolve an alleged breach of a Leadership Standard through dialogue with the Leader in question. There is also a requirement to informally consult with any individuals alleged to have been harmed by the breach, in order to obtain their perspectives as well.

If the matter is not resolved by the time the informal discussion process has been completed, the General Director may, after consulting with the other applicable Leaders, determine that Leadership Status Review is needed. In that case the General Director would initiate the Leadership Status Review process for Leaders by providing a written summary of the alleged wrongdoing to the Chair of the Board. The written summary would also be provided to the Leader in question at a later time. A determination by the General Director to proceed with Leadership Status Review must be approved by the Board of Directors at a meeting of the Board and must also be reviewed and approved by the Executive Council in order to provide checks and balances in the process. In this regard, once the Board has determined by Consensus Resolution to refer the matter to the Executive Council, the matter will remain with the Executive Council. If, however, either the Board or the Executive Council determines that the allegations are invalid, then the allegation will be dropped and no further Leadership Status Review will proceed.

Where the Executive Council determines on a preliminary basis that the allegations require further investigation, the hearing process set out in section 1.04 of this Policy will be followed. Where a situation involves an extraordinary case of an alleged breach by a Leader of both Practitioner and Leadership Standards, the Status Review procedure to apply to both types of breaches may be held at the same time to avoid duplication.

Where a Leader under Review has been charged with a criminal offence, the Leadership Status Review procedure outlined in this Policy will be suspended until the criminal investigation or court proceedings have been completed. However, suspension of the Leadership Status Review does not preclude SGI Canada from taking interim steps, including suspension from status as a Leader or barring the Leader Under Review from attending Canada programs. These measures may be necessary in certain situations to protect the other Practitioners and Leaders from potential harm that may be caused by the Leader Under Review.

1.01 Leadership Status Review

- (a) The primary aim of Leadership Status Review shall be the restoration of the Leader in question to a healthy relationship with the other Practitioners and Leaders of SGI Canada. SGI Canada has not only the right but the duty to practise such Leadership Status Review in a manner that reflects adherence to the principles of Nichiren Buddhism and Soka Gakkai Nichiren Buddhism. Leadership Status Review will only be carried out in the most difficult situations where a Leader has breached a Leadership Standard contained in section 1.07 of the Governance Policy on Leaders and refuses to discontinue the breach despite SGI Canada's repeated attempts to resolve the issues through informal discussions as outlined in section 1.08 of the Governance Policy on Leaders.
- (b) A Leader shall be deemed to be under the Leadership Status Review of SGI Canada if the General Director in his or her sole discretion determines that Leadership Status Review is necessary in light of a breach of the Leadership Standards contained in section 1.07 of the Governance Policy on Leaders after completion of the informal discussion process outlined in section 1.08 of the Governance Policy on Leaders in order to attempt to resolve a suspected breach of a Leadership Standard by any Leader. Before making a decision to proceed with Leadership Status Review, the General Director shall 1) consult with one or more of the Leaders who were involved with the informal discussion process outlined in section 1.08 of the Governance Policy on Leaders, and 2) consult with any individuals who were alleged to have been harmed by the situation involving the alleged breach of the Leadership Standards. For greater certainty, the General Director shall not require the approval of the said Leaders or the allegedly harmed individuals in order to make a decision to proceed with Leadership Status Review, as the purpose of the consultations is to elicit the perspectives of the said Leaders and said harmed individuals for informational purposes only. Any decision by the General Director to proceed with Leadership Status Review must be ratified by the Board of Directors by Consensus Resolution in accordance with section 1.03 of this Policy before proceeding further. The General Director must also advise the Board of Directors where a situation involves a suspected breach of a Leadership Standard (that has not been resolved through the completion of the informal discussion process outlined in section 1.08 of the Governance Policy on Leaders) but does not proceed to Leadership Status Review.
- (c) Status Review as a Leader under this Policy does not preclude Practitioner Status Review under the Governance Policy on Status Review for Practitioners. Status Review for Practitioners may proceed based on the same facts and at the same time as Leadership Status Review.
- (d) Where the General Director is suspected of having breached a Leadership Standard and/or a Practitioner Standard, the determination of whether Leadership and/or Practitioner Status Review is necessary and the decision on the Status Review procedure to be followed shall be made by the Chair of the Board in his or her sole discretion after completion of the informal discussion process outlined in section 1.08 of the Governance Policy on Leaders and after consultation with one or more of the Leaders who were involved with the informal discussion process outlined in section 1.08 of the Governance Policy on Leaders. Where the General Director is suspected of having breached a Leadership Standard, the Written Summary referred to in section 1.03 of this Policy shall also be prepared by the Chair of the Board.

1.02 Procedure for Leadership Status Review

The Leadership Status Review procedure for Leaders of SGI Canada is set out in sections 1.03 to 1.05 of this Policy.

1.03 Preliminary Review

Where the General Director or the Chair of the Board, as the case may be, determines Leadership Status Review is required to address a breach of a Leadership Standard described in the Governance Policy on Leaders, the following process shall be followed:

- (a) The General Director shall provide a written summary (“Written Summary”) of the alleged wrongdoing committed by the Leader Under Review (“Leader Under Review”) to the Chair of the Board, together with a formal written request that the matter be referred to the Executive Council for Leadership Status Review. The Written Summary shall also include the General Director’s recommendation on whether the alleged wrongdoing is to be addressed solely in accordance with this Policy on Leadership Status Review or solely in accordance with the Policy on Status Review for Practitioners or whether the matter will be addressed under both Policies on a parallel basis as outlined in section 1.01(c) of this Policy. The Written Summary shall outline the grounds for Status Review for Leaders and a copy will later be provided to the Leader Under Review as the notice outlining the grounds for Leadership Status Review against him or her.
- (b) Upon receipt of the Written Summary the Chair of the Board shall call a meeting of the Board of Directors to determine by Consensus Resolution whether the matter will be referred to the Executive Council in order to proceed with the Leadership Status Review.
- (c) If the Executive Council determines by Consensus Resolution on a preliminary basis that the allegations against the Leadership Status Review are invalid *prima facie*, then the allegation shall be dropped and no further action against the Leader Under Review shall proceed.
- (d) If the Executive Council determines by Consensus Resolution on a preliminary basis that the allegations against the Leader Under Review require further investigation, then the Executive Council shall proceed to the hearing process set out in section 1.04 of this Policy.

1.04 Hearing Process

- (a) Where a Leader Under Review has been charged with a criminal offence, the Leadership Status Review procedure outlined in this Policy shall be suspended until the criminal investigation and the court proceedings, including any appeals (“Court Proceedings”) have been completed. For greater certainty suspension of the Leadership Status Review procedure shall not preclude SGI Canada from taking interim steps pending final processing of the Court Proceedings including, but not limited to, suspension from status as a Leader and barring the Leader Under Review from attending District meetings or other SGI Canada programs until the Court Proceedings have been completed. Where the Executive Council suspends a Leader from his or her Leadership position or bars a Leader from attending SGI Canada programs, the Executive Council shall advise the Board of Directors regarding the same.

- (b) If the Executive Council determines by Consensus Resolution on a preliminary basis that the allegations against the Leader Under Review require further investigation, then the Executive Council shall proceed with a hearing. The Executive Council, in its discretion, may temporarily suspend the said Leader Under Review from any Leadership position within SGI Canada until the completion of the Leadership Status Review process. Where the Executive Council temporarily suspends the Leader Under Review from his or her Leadership position, the Executive Council shall advise the Board of Directors regarding the same.
- (c) The Executive Council shall then convene a hearing to consider the allegation. The Leader Under Review shall be given a minimum of fourteen (14) days written notice by registered mail and email (if available), at his or her last known address (which period of time shall include the date of mailing but shall exclude the date of the hearing), setting out the date, time and place at which the hearing will be held. The notice shall briefly explain the nature of the allegation and advise the Leader Under Review that the allegation will be considered by the Executive Council at the hearing. The Leader Under Review shall be entitled to attend before the hearing to listen to the details of the allegation made and to respond thereto.
- (d) The hearing shall be conducted as a board of inquiry by the Executive Council and a member of the Executive Council shall be appointed by the Executive Council to act as the chairperson of the hearing. The Executive Council shall have responsibility for carriage of the hearing and shall make the determination on whether the Leader Under Review is to have his or her Leadership status subject to review at the end of the hearing. Where necessary, the Executive Council is to determine what measures are to be imposed. The Executive Council shall be responsible to ensure that due process and procedural fairness is carried out in relation to all aspects of the hearing, as provided for in this Policy on Status Review for Leaders and that any recommendations by the Executive Council are duly and fairly implemented.
- (e) The hearing shall not be open to the public nor to other Leaders or Practitioners of SGI Canada. The Leader Under Review shall be entitled, but is not obligated to, be accompanied at the hearing by two Leaders who may act as observers during the hearing but who shall not be entitled to participate at the hearing.
- (f) Both the Leader Under Review and the Executive Council may call any witnesses or evidence that is relevant to the allegation being made. No party to the hearing shall be represented by legal counsel.
- (g) There shall be an equal allocation of time for the presentation of evidence by both the Executive Council and the Leader Under Review. The Executive Council may designate a time limitation on the hearing, provided that such limitation is applied equally to the presentation of evidence by both the Executive Council and the Leader Under Review and provided further that notice of such limitation of time is first given to the Leader Under Review at least three (3) hours before the hearing is required to end.
- (h) All evidence presented before the hearing shall be kept private and confidential by the Executive Council.

- (i) At the end of the hearing, the Executive Council shall convene in private to deliberate on the evidence presented. A Consensus Resolution (as defined in section 1.01 of General Operating Bylaw No. 8, as amended from time to time) by the Executive Council shall be required to conclude that the allegation is true; failing which the allegation will be deemed not to be proven, with the result that the Leader Under Review shall no longer be subject to Leadership Status Review proceedings by SGI Canada and shall be reinstated as a Leader in good standing. In the event that the Executive Council determines that the allegation is true, the Executive Council shall decide the appropriate measures to be implemented in accordance with section 1.05.

1.05 Results of Leadership Status Review

- (a) In the event that the Executive Council determines that the allegation is true, the Executive Council shall decide the appropriate measures to be implemented, which decision shall be determined by Consensus Resolution of the Executive Council. Appropriate measures shall be determined and implemented with the intent of both protecting the integrity of SGI Canada and restoring the Leader Under Review into a healthy relationship with SGI Canada and the other Practitioners pursuant to the principles of Nichiren Buddhism, as much as possible.
- (b) The General Director shall endeavour to orally advise the Leader Under Review of the decision of the Executive Council Meeting forthwith after a decision by the Executive Council is made. In addition, the Secretary shall promptly send written notification of the decision made by Executive Council by registered mail, regular mail and email (if available) to the Leader Under Review at his or her last known address within ten (10) days of a decision having been made together with a succinct summary of the reasons thereof.
- (c) The decision of the Executive Council on the type of Leadership Status Review to be administered shall be final and binding, with no right of appeal. In the event that the decision of the Executive Council is to terminate the Leader's status as a Leader, then the Leader Under Review shall automatically cease to be a Leader of SGI Canada upon the date that the decision by the Executive Council is made and the General Director shall inform SGI Japan regarding the same. For greater certainty, a decision to terminate Leadership status will only be made in situations involving a very serious breach of a Leadership Standard and after careful consideration by the Executive Council.