<table>
<thead>
<tr>
<th>Year</th>
<th>Allegations</th>
<th>Result</th>
<th>Complainant Affiliation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>Sexual harassment: Complainant felt Respondent stared at her and made her feel uncomfortable. Complainant reported rumors that Respondent dated students</td>
<td>Preventative measures: OPHD held warning and education meeting with Respondent.</td>
<td>Undergraduate</td>
</tr>
<tr>
<td>2013</td>
<td>Consensual Relationship: Respondent allegedly had a consensual relationship with an undergraduate student</td>
<td>Formal Investigation: Finding of a policy violation with respect to APM-015. Adjudication process ended with an early resolution.</td>
<td>Referred by Department</td>
</tr>
<tr>
<td>2014</td>
<td>Quid Pro Quo Sexual Harassment: Complainant was allegedly [redacted] based on her rejection of Respondent’s sexual advances.</td>
<td>Formal Investigation: No finding of a policy violation.</td>
<td>[Withheld]</td>
</tr>
<tr>
<td>2017</td>
<td>Sexual Harassment: Respondent allegedly engaged in “inappropriately flirtatious interactions with [redacted].”</td>
<td>Preventative measures: Department addressed in meeting with Respondent.</td>
<td>[Withheld]</td>
</tr>
</tbody>
</table>
June 21, 2013

SURESH SUBRAMANI
Executive Vice Chancellor, Academic Affairs
Mail Code 0322

SUBJECT: Investigation of Conduct by Nicholas Christenfeld

Dear Executive Vice Chancellor Subramani:

In late March, 2013, Professor John Wixted, Chair of the Department of Psychology ("the Department"), notified the Office for the Prevention of Harassment & Discrimination of an apparent consensual relationship between Professor Nicholas Christenfeld, a full professor in the Department, and [REDACTED]. Our office determined that a formal investigation was required under PPM 200-10 III.B.4. Including Professor Christenfeld, I interviewed five people with relevant information and reviewed documentary evidence. As set out below in more detail, I find sufficient evidence of a violation of the Faculty Code of Conduct.

Background

Professor Christenfeld has been employed at UC San Diego since 1991. [REDACTED] is an undergraduate [REDACTED] She took two courses from Professor Christenfeld, [REDACTED] The romantic relationship between [REDACTED] and Professor Christenfeld allegedly began sometime after that second class...

[REDACTED]

1PPM 200-10 sets forth the procedures used for investigating allegations of sexual harassment. These procedures are also used to respond to alleged violations of the Faculty Code of Conduct set out in APM-015.
June 21, 2012
Page 2

Investigation

On the evening of 2013, two persons associated with the Department went to lab to talk with about some data and discovered Professor Christenfeld there with conduct led them to believe that they had interrupted some sort of intimate activity between and Professor Christenfeld. On , 2013 asked about Professor Christenfeld’s presence in lab and about his relationship with . admitted to having an affair with Professor Christenfeld that had been going on for approximately six months. She also admitted that this was not the first time they had met in lab.

The discovery of this relationship followed closely the Department’s consideration of applicants to the graduate program. Professor Christenfeld did not write a letter of recommendation on behalf, nor did he evaluate her using the Grad Review tool. He did interview candidates including . Following , the members of met to discuss candidates to explore whether there was consensus regarding strong and weak candidates. Each member then submitted ratings to the Department’s Admissions committee. Professor Christenfeld rated and four other candidates with the highest possible rating. Following the meeting, Professor Christenfeld also sent an email regarding the timeline for submitting their ratings of prospective graduate students, and stated, “P.S. Of the ones I met I was most impressed by and .”

The Chair of the Department asked two members of the Department to examine Professor Christenfeld’s conduct during the graduate admissions process. They found that “Professor Christenfeld was fairly careful to exclude himself from most evaluations of .” While finding that Professor Christenfeld had not “unduly intervened in the admissions process” (emphasis added), they nonetheless concluded that there was “some type of ethical/moral issue in engaging in a relationship with an undergraduate student.” They went on to observe that, “[a]t the very least, it shows poor judgment on the part of Professor Christenfeld. And, whether or not Professor Christenfeld sees that there is a problem isn’t entirely clear.”

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Because believed that Professor Christenfeld had engaged in sexual activity with in lab, asked Professor Christenfeld to pay to clean lab, which he did. However, he denied engaging in sexual activity there.
I asked Professor Christenfeld why he had not recused himself from the process of evaluating [redacted] during the graduate admissions process. He stated that he had not done so because it would have been “awkward.” He stated that others including [redacted] and [redacted], were enthusiastic about [redacted].

Prior Conduct

Professor Christenfeld has come to our office’s attention twice before this matter arose. In 2005, an undergraduate complained that Professor Christenfeld stared at her and made her feel uncomfortable. She also stated that there were rumors that he dated students. She did not want to be identified and did not want our office to speak with Professor Christenfeld until she graduated. Carol Rogers met with Professor Christenfeld after the student graduated and discussed the Policy on Sexual Harassment and the Faculty Code of Conduct. Our office made no finding of a violation of policy.

In 2008, [redacted] complained about inappropriate interactions between [redacted] and [redacted] including Professor Christenfeld.
provided a number of emails (between May of 2008 and August of 2008) between [Redacted] and Professor Christenfeld that showed, at a minimum, that Professor Christenfeld engaged in sexual banter with her. [Redacted] Some of the emails implied that he had a sexual relationship with the student, but he denied that he did. Even if he did, however, there was no evidence that he had violated the Faculty Code of Conduct by having a relationship while she was his student. Nonetheless, our office contacted Professor Christenfeld to advise him of the complaint.

At the time, Professor Christenfeld was Vice Chair of the Committee on Academic Personnel (CAP). Senior Vice Chancellor Paul Drake met with Professor Christenfeld to state his expectation that, because of his role on (CAP) Professor Christenfeld’s behavior needed to be above reproach, though Professor Christenfeld stated that no mention was made at this meeting of the complaint that had come to our office. Professor Christenfeld stated to me that he believed his conduct with respect to this student had been “exemplary” because he had copied his Department Chair on an email he sent to her in September of 2008 because of her persistent contact with him. That email states, in part,
During the current investigation, I asked Professor Christenfeld about his relationships with students. He stated that they sometimes tell him their personal lives and he gets close to some of them, but he asserted that he does not have sex with them.

Discussion

The Faculty Code of Conduct (APM 015 section II.A.6 [Teaching and Students]) prohibits a faculty member from “[e]ntering into a romantic or sexual relationship with any student for whom a faculty member has, or should reasonably expect to have in the future, academic responsibility (instructional, evaluative, or supervisory).” This section has an explanatory footnote regarding when a faculty member should reasonably expect to have future responsibility for a student:

A faculty member should reasonably expect to have in the future academic responsibility (instructional, evaluative, or supervisory) for (1) students whose academic program will require them to enroll in a course taught by the faculty member, (2) students known to the faculty member to have an interest in an academic area within the faculty member’s academic expertise, or (3) any student for whom a faculty member must have academic responsibility (instructional, evaluative, or supervisory) in the pursuit of a degree.

Professor Christenfeld stated that he was aware of the Faculty Code of Conduct and did not believe his conduct violated it.

Professor Christenfeld did not have evaluative authority over when he entered into the relationship with her. The Department Chair confirmed that Whether Professor Christenfeld violated the Policy turns, then, on his role during the admissions process. There is evidence that he participated in the evaluative process . Specifically, he provided a rating of the students he interviewed at the Open House, and he expressed his opinion to his colleagues that the two strongest candidates being considered by included Professor Christenfeld’s defense is that he was always merely expressing the opinion of as a whole, rather than his individual opinion. However, he did not make it clear to his colleagues on the Admissions committee that he was not expressing his personal opinion, and he had not been appointed by to express group opinions on their behalf. At a minimum, then, he created the appearance of exercising his individual evaluative authority.

Professor Christenfeld could have recused himself from the evaluative process. He could, in fact, simply have refrained from sending in ratings of students he had interviewed and from expressing to his colleagues that he was “most impressed” with two in particular. Because he did
June 21, 2012
Page 6

not, it appears that he evaluated [REDACTED] during the admissions process, in violation of APM 015.

While this is a very close call, and the violation regarding evaluative authority somewhat technical in nature, Professor Christenfeld was dishonest – by omission – with his colleagues during [REDACTED], concealing his relationship with [REDACTED] and pretending to fully participate in the process while preserving his plausible denial of actual participation. This type of conduct damages the integrity of the [REDACTED] Professor Christenfeld was cooperative during the investigation but did not appear to fully appreciate the problem with his conduct, and his apparent lack of remorse over his role in causing harm to [REDACTED] is also troubling. In addition, his relationship with [REDACTED] appears to be part of a pattern of poor judgment regarding appropriate interactions with students. The technical nature of the violation, [REDACTED] and the fact that any actual conflict of interest has now been cured, should be taken into account in any further proceedings.

Further Procedures

I will notify Professor Christenfeld that my report is complete and arrange for an appropriately redacted copy of the report to be provided to him. Please provide notice to our office if corrective action is taken, or if there is a decision not to take any action, under UC San Diego’s Procedures for Sexual Harassment Complaint Resolution III.B.4.j. Please let me know if you have any questions.

Sincerely,

Lori Chamberlain

Attachment

cc John Wixted, Chair, Department of Psychology
Jeffrey Elman, Dean, Social Sciences