

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN EDUCATIONAL RESEARCH)
ASSOCIATION, INC., AMERICAN)
PSYCHOLOGICAL ASSOCIATION, INC.,)
and NATIONAL COUNCIL ON)
MEASUREMENT IN EDUCATION, INC.,)

Civil Action No. 1:14-cv-00857-TSC-DAR

Plaintiffs,)

**DECLARATION OF DIANNE L.
SCHNEIDER IN SUPPORT OF
PLAINTIFFS’ MOTION FOR
SUMMARY JUDGMENT AND ENTRY
OF A PERMANENT INJUNCTION**

v.)

PUBLIC.RESOURCE.ORG, INC.,)

Defendant.)

I, DIANNE SCHNEIDER, declare:

1. I am a Senior Human Capital Consultant at Personnel Decisions Research Institute (“PDRI”). My work for PDRI includes providing consulting services, in areas such as performance management and career development, to a variety of public and private sector clients. I submit this Declaration in support of the motion of the American Educational Research Association, Inc. (“AERA”), the American Psychological Association, Inc. (“APA”), and the National Council on Measurement in Education, Inc. (“NCME”) (collectively, “Plaintiffs” or “Sponsoring Organizations”) for summary judgment and the entry of a permanent injunction.

2. Prior to working at PDRI, from 1998 through 2012, I worked as a private consultant, providing consulting services for the APA and for Valtera, Inc. in the areas of leader assessment and development, and psychological testing and assessment. Between 2009 and 2012, I worked as a consultant and a project coordinator for APA during the revision by the Joint Committee of the Sponsoring Organizations of the 1999 edition of the *Standards for Educational and Psychological Testing* (the “Standards”) that were published in 2014. Prior to becoming a private consultant, from 1994 through 1998, I worked as a Testing and Assessment Officer at the

APA. Prior to becoming a Testing and Assessment Officer, from 1992 to 1994, I worked as a Research Officer for APA. From 1993 through 1998, I also participated as a staff liaison for the Joint Committee during their revision of the 1985 edition of the Standards that were produced in published in 1999.

3. My work for the revision of the 1985 Standards published in 1999, and my work for the revision of the 1999 Standards published in 2014, consisted of providing administrative support to the project, such as arranging meeting logistics, taking notes and preparing minutes from the meetings, and managing committee correspondence including sending draft versions of the Standards for comment and compiling input from the public reviews.

4. Financial and operational oversight for the Standards' revisions, promotion, distribution, and for the sale of the 1999 and 2014 Standards has been undertaken by a periodically reconstituted Management Committee, comprised of the designees of the three Sponsoring Organizations.

5. All members of the Joint Committee(s) and the Management Committee(s) are *unpaid* volunteers. The expenses associated with the ongoing development and publication of the Standards include travel and lodging expenses (for the Joint Committee and Management Committee members), support staff time, printing and shipment of bound volumes, and advertising costs.

6. Draft revisions of the 1985 Standards, for what became the 1999 Standards, were widely distributed for public review and comment three times during this revision effort to gauge whether the testing community believed the revised drafts to be current and inclusive of the topics at issue.

7. The Joint Committee received thousands of pages of comments and proposed text

revisions from: the membership of the Sponsoring Organizations, scientific, professional, trade and advocacy groups, credentialing boards, state and federal government agencies, test publishers and developers, and academic institutions. While the Joint Committee reviewed and took under advisement these helpful comments, the final language of the 1999 Standards was a product of the Joint Committee members.

I DECLARE, under the penalty of perjury, that the foregoing is true and correct.

Dated: December 11, 2015


Dianne L. Schneider