



Aurelio Prifitera, Ph.D.
President

Sales of Secure Test Materials on eBay

Dear Colleagues:

With the growth of internet auction sites, the unrestricted on-line sale of secure test materials threatens the integrity of these vital tools. Through eBay, unqualified buyers, who have no contractual or ethical commitment to maintain the confidentiality of those materials, may purchase these products without restriction.

The Psychological Corporation believes it is in the best interest of clinicians and their clients to restrict these sales. To maintain the validity and usefulness of these instruments, it is vital that their availability be limited only to qualified professionals bound by ethical standards to maintain the integrity of the assessments. To ensure the integrity of these instruments, we have asked eBay to prohibit the sale of "secure tests" on its auction site. eBay already prohibits the sale of Teacher's Editions of textbooks on its site for similar reasons.

Although The Psychological Corporation believes we provided eBay with sufficient information to warrant the establishment of "secure tests" as a new class of prohibited items, eBay has denied The Psychological Corporation's request, stating that "eBay cannot create Prohibited Items policies on the basis of speculative concerns, where such a policy does not reflect existing law."

eBay has indicated that it will prohibit items from being sold where there is a "compelling public interest (such as a threat to public safety), even if the law does not require it," and has invited us to provide evidence of actual instances where a **Pearson Education** or The Psychological Corporation test sold on eBay compromised the integrity of any test result.

We are seeking assistance from all secure test publishers and clinicians in providing eBay with evidence of instances which support our case. If you know of an instance where the inappropriate use of a secure test by an unqualified individual has compromised the test results, please assist us in making our case to eBay to prohibit these sales. We also encourage all publishers and clinicians to contact eBay to convey your concerns about the unrestricted sale of secure test materials.

If access by unqualified individuals to secure test materials via eBay and other internet auction sites is of concern to you, please direct your comments to:

Mr. Edward Torpoco
Regulatory Counsel
eBay, Inc.
2145 Hamilton Ave.
San Jose, California 95125

with a copy to:
Legal Department
Pearson Education, Inc.
19500 Bulverde Road
San Antonio, Texas 78259-3701

Thank you for your prompt response.

Sincerely,

Aurelio Prifitera, Ph.D.
President – Clinical