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Form **990**

Return of Organization Exempt From Income Tax

OMB No 1545-0047

2008

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

Department of the Treasury
Internal Revenue Service

▶ The organization may have to use a copy of this return to satisfy state reporting requirements

Open to Public Inspection

A For the 2008 calendar year, or tax year beginning 09-01-2008 and ending 08-31-2009

B Check if applicable
☐ Address change
☐ Name change
☐ Initial return
☐ Termination
☐ Amended return
☐ Application pending

Please use IRS label or print or type. See Specific Instructions.

C Name of organization
ACT INC

Doing Business As

Number and street (or P O box if mail is not delivered to street address) | Room/suite
PO BOX 168

City or town, state or country, and ZIP + 4
IOWA CITY, IA 522430168

D Employer identification number
42-0841485

E Telephone number
(319) 337-1000

G Gross receipts $ 374,254,238

F Name and address of Principal Officer
RICHARD L FERGUSON
PO BOX 168
IOWA CITY,IA 522430168

H(a) Is this a group return for affiliates? ☐ Yes ☑ No

H(b) **Are all affiliates included?** ☐ Yes ☐ No
(If "No," attach a list See instructions)

H(c) Group Exemption Number ▶

I Tax-exempt status ☑ 501(c) (3) ◀ (insert no) ☐ 4947(a)(1) or ☐ 527

J **Web site:** ▶ WWW ACT ORG

K Type of organization ☑ Corporation ☐ trust ☐ association ☐ other ▶

L Year of Formation 1960 **M** State of legal domicile IA

Part I Summary

Activities & Governance

1	Briefly describe the organization's mission or most significant activities HELPING PEOPLE ACHIEVE EDUCATION AND WORKPLACE SUCCESS		
2	Check this box ☐ if the organization discontinued its operations or disposed of more than 25% of its assets		
3	Number of voting members of the governing body (Part VI, line 1a)	3	14
4	Number of independent voting members of the governing body (Part VI, line 1b)	4	11
5	Total number of employees (Part V, line 2a)	5	2,260
6	Total number of volunteers (estimate if necessary)	6	800
7a	Total gross unrelated business revenue from Part VIII, line 12, column (C)	7a	13,352,201
b	Net unrelated business taxable income from Form 990-T, line 34	7b	215,650

			Prior Year	Current Year
Revenue	8	Contributions and grants (Part VIII, line 1h)		640,000
	9	Program service revenue (Part VIII, line 2g)	228,587,647	243,483,440
	10	Investment income (Part VIII, column (A), lines 3, 4, and 7d)	13,076,622	-6,058,892
	11	Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)		0
	12	Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	241,664,269	238,064,548
Expenses	13	Grants and similar amounts paid (Part IX, column (A), lines 1–3)	2,000,000	2,213,877
	14	Benefits paid to or for members (Part IX, column (A), line 4)		0
	15	Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)	82,467,009	89,263,865
	16a	Professional fundraising fees (Part IX, column (A), line 11e)		0
	b	(Total fundraising expenses, Part IX, column (D), line 25 0)		
	17	Other expenses (Part IX, column (A), lines 11a–11d, 11f–24f)	136,924,881	137,652,847
	18	Total expenses—add lines 13–17 (must equal Part IX, line 25, column (A))	221,391,890	229,130,589
	19	Revenue less expenses Subtract line 18 from line 12	20,272,379	8,933,959

			Beginning of Year	End of Year
Net Assets or Fund Balances	20	Total assets (Part X, line 16)	347,715,379	362,721,541
	21	Total liabilities (Part X, line 26)	76,727,253	87,264,153
	22	Net assets or fund balances Subtract line 21 from line 20	270,988,126	275,457,388

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge

Please Sign Here

****** | 2010-06-10
Signature of officer | Date

THOMAS J GOEDKEN CFO/TREASURER
Type or print name and title

Paid Preparer's Use Only

Preparer's signature ▶ Kay Hegarty	Date	Check if self-empolyed ▶ ☐	Preparer's PTIN (See Gen Inst)
Firm's name (or yours if self-employed), address, and ZIP + 4 ▶ RSM MCGLADREY INC 221 THIRD AVENUE SE SUITE 300 CEDAR RAPIDS, IA 524011512			EIN ▶ Phone no ▶ (319) 298-5333

May the IRS discuss this return with the preparer shown above? (See instructions) ☑ Yes ☐ No

Part III Statement of Program Service Accomplishments (See the instructions.)

1 Briefly describe the organization's mission

See Additional Data Table

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? ☐ Yes ☑ No

If "Yes," describe these new services on Schedule O

3 Did the organization cease conducting or make significant changes in how it conducts any program services? ☐ Yes ☑ No

If "Yes," describe these changes on Schedule O

4 Describe the exempt purpose achievements for each of the organization's three largest program services by expenses Section 501(c)(3) and (4) organizations and 4947(a)(1) trusts are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code) (Expenses $ 166,270,733 including grants of $ 2,201,377) (Revenue $ 200,278,945)

EDUCATION ASSESSMENT SERVICES - ACT'S EDUCATION ASSESSMENT SERVICES ARE DESIGNED AND DEVELOPED TO INFORM INDIVIDUALS (AND THOSE HELPING THEM) ABOUT THE KNOWLEDGE AND SKILLS NEEDED FOR SUCCESS IN EDUCATION AND EVENTUALLY CAREER INFORMATION RESULTING FROM THE ADMINISTRATION OF THE ASSESSMENTS ENABLE INDIVIDUALS TO PREPARE THEMSELVES FOR A NEXT LEVEL OF EDUCATION AND/OR TRAINING AND THEY PROVIDE EDUCATORS AND TRAINERS WITH INFORMATION USEFUL IN GUIDING THEIR TEACHING AND INSTRUCTION COLLECTIVELY, DATA RESULTING FROM THE ADMINISTRATION OF THE ASSESSMENTS FACILITATES RESEARCH ON EFFECTIVE EDUCATIONAL PRACTICES OF VALUE TO NATIONAL, STATE AND LOCAL EDUCATORS AND POLICY MAKERS

4b (Code) (Expenses $ 28,379,109 including grants of $ 12,500) (Revenue $ 43,204,495)

WORKFORCE DEVELOPMENT ASSESSMENT SERVICES - ACT'S WORKFORCE DEVELOPMENT ASSESSMENT SERVICES ARE COMPLEMENTARY OF ITS EDUCATION ASSESSMENT SERVICES IN THAT THEY FOCUS ON HELPING INDIVIDUALS TO ACQUIRE THE SKILLS THAT THEY NEED FOR SUCCESS IN THE WORKPLACE THE SERVICES HELP INDIVIDUALS TO UNDERSTAND THE SKILLS THEY WILL NEED TO BE READY FOR WORKPLACE RELATED EDUCATION AND TRAINING PROGRAMS THE ASSESSMENTS ARE USED WIDELY BY EDUCATORS AND TRAINERS TO PRESCRIBE AND PROVIDE INSTRUCTIONAL INTERVENTIONS FOR THOSE INDIVIDUALS COLLECTIVELY, DATA RESULTING FROM THE ADMINISTRATION OF THE ASSESSMENTS ENABLES RESEARCH ON NATIONAL, STATE, AND REGIONAL SKILL GAPS IN THE LABOR POOL AND FACILITATES DECISIONS AND STRATEGIES FOR ADDRESSING THEM

4c (Code) (Expenses $ including grants of $) (Revenue $)

4d Other program services (Describe in Schedule O)

(Expenses $ including grants of $) (Revenue $)

4e Total program service expenses $ 194,649,842 *Must equal Part IX, Line 25, column (B).*

Part IV Checklist of Required Schedules

			Yes	No
1	Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? *If "Yes," complete Schedule A*	1	Yes	
2	Is the organization required to complete Schedule B, Schedule of Contributors?	2	Yes	
3	Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? *If "Yes," complete Schedule C, Part I*	3		No
4	Section 501(c)(3) organizations Did the organization engage in lobbying activities? *If "Yes," complete Schedule C, Part II*	4	Yes	
5	Section 501(c)(4), 501(c)(5), and 501(c)(6) organizations Is the organization subject to the section 6033(e) notice and reporting requirement and proxy tax? *If "Yes," complete Schedule C, Part III*	5		
6	Did the organization maintain any donor advised funds or any accounts where donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? *If "Yes," complete Schedule D, Part I*	6		No
7	Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas or historic structures? *If "Yes," complete Schedule D, Part II*	7		No
8	Did the organization maintain collections of works of art, historical treasures, or other similar assets? *If "Yes," complete Schedule D, Part III*	8		No
9	Did the organization report an amount in Part X, line 21, serve as a custodian for amounts not listed in Part X, or provide credit counseling, debt management, credit repair, or debt negotiation services? *If "Yes," complete Schedule D, Part IV*	9		No
10	Did the organization hold assets in term, permanent,or quasi-endowments? *If "Yes," complete Schedule D, Part V*	10		No
11	Did the organization report an amount in Part X, lines 10, 12, 13, 15, or 25? *If "Yes," complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable*	11	Yes	
12	Did the organization receive an audited financial statement for the year for which it is completing this return that was prepared in accordance with GAAP? *If "Yes," complete Schedule D, Parts XI, XII, and XIII*	12		No
13	Is the organization a school as described in section 170(b)(1)(A)(ii)? *If "Yes," complete Schedule E*	13		No
14a	Did the organization maintain an office, employees, or agents outside of the U S ?	14a	Yes	
b	Did the organization have aggregate revenues or expenses of more than $10,000 from grantmaking, fundraising, business, and program service activities outside the U S ? *If "Yes," complete Schedule F, Part I*	14b	Yes	
15	Did the organization report on Part IX, column (A), line 3, more than $5,000 of grants or assistance to any organization or entity located outside the United States? *If "Yes," complete Schedule F, Part II*	15		No
16	Did the organization report on Part IX, column (A), line 3, more than $5,000 of aggregate grants or assistance to individuals located outside the United States? *If "Yes," complete Schedule F, Part III*	16		No
17	Did the organization report more than $15,000 on Part IX, column (A), line 11e? *If "Yes," complete Schedule G, Part I*	17		No
18	Did the organization report more than $15,000 total on Part VIII, lines 1c and 8a? *If "Yes," complete Schedule G, Part II*	18		No
19	Did the organization report more than $15,000 on Part VIII, line 9a? *If "Yes," complete Schedule G, Part III*	19		No
20	Did the organization operate one or more hospitals? *If "Yes," complete Schedule H*	20		No
21	Did the organization report more than $5,000 on Part IX, column (A), line 1? *If "Yes," complete Schedule I, Parts I and II*	21	Yes	
22	Did the organization report more than $5,000 on Part IX, column (A), line 2? *If "Yes," complete Schedule I, Parts I and III*	22		No
23	Did the organization answer "Yes" to Part VII, Section A, questions 3, 4, or 5? *If "Yes," complete Schedule J*	23	Yes	
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than $100,000 as of the last day of the year, that was issued after December 31, 2002? *If "Yes," answer questions 24b-24d and complete Schedule K. If "No," go to question 25*	24a		No
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?	24b		
c	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?	24c		
d	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?	24d		
25a	Section 501(c)(3) and 501(c)(4) organizations Did the organization engage in an excess benefit transaction with a disqualified person during the year? *If "Yes," complete Schedule L, Part I*	25a		No
b	Did the organization become aware that it had engaged in an excess benefit transaction with a disqualified person from a prior year? *If "Yes," complete Schedule L, Part I*	25b		No
26	Was a loan to or by a current or former officer, director, trustee, key employee, highly compensated employee, or disqualified person outstanding as of the end of the organization's tax year? *If "Yes," complete Schedule L, Part II*	26		No
27	Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, or substantial contributor, or to a person related to such an individual? *If "Yes," complete Schedule L, Part III*	27		No

Part IV Checklist of Required Schedules *(Continued)*

			Yes	No
28	During the tax year, did any person who is a current or former officer, director, trustee, or key employee			
a	Have a direct business relationship with the organization (other than as an officer, director, trustee, or employee), or an indirect business relationship through ownership of more than 35% in another entity (individually or collectively with other person(s) listed in Part VII, Section A)? *If "Yes," complete Schedule L, Part IV*	28a		No
b	Have a family member who had a direct or indirect business relationship with the organization? *If "Yes," complete Schedule L, Part IV*	28b		No
c	Serve as an officer, director, trustee, key employee, partner, or member of an entity (or a shareholder of a professional corporation) doing business with the organization? *If "Yes," complete Schedule L, Part IV*	28c	Yes	
29	Did the organization receive more than $25,000 in non-cash contributions? *If "Yes," complete Schedule M*	29		No
30	Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? *If "Yes," complete Schedule M*	30		No
31	Did the organization liquidate, terminate, or dissolve and cease operations? *If "Yes," complete Schedule N, Part I*	31		No
32	Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? *If "Yes," complete Schedule N, Part II*	32		No
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations section 301 7701-2 and 301 7701-3? *If "Yes," complete Schedule R, Part I*	33		No
34	Was the organization related to any tax-exempt or taxable entity? *If "Yes," complete Schedule R, Parts II, III, IV, and V, line 1*	34	Yes	
35	Is any related organization a controlled entity within the meaning of section 512(b)(13)? *If "Yes," complete Schedule R, Part V, line 2*	35	Yes	
36	501(c)(3) organizations Did the organization make any transfers to an exempt non-charitable related organization? *If "Yes," complete Schedule R, Part V, line 2*	36		No
37	Did the organization conduct more than 5 percent of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? *If "Yes," complete Schedule R, Part VI*	37		No

Part V Statements Regarding Other IRS Filings and Tax Compliance

					Yes	No
1a	Enter the number reported in Box 3 of Form 1096, *Annual Summary and Transmittal of U.S. Information Returns. Enter -0- if not applicable*	**1a**	8,892			
b	Enter the number of Forms W-2G included in line 1a *Enter -0-* if not applicable	**1b**	0			
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?			**1c**	Yes	
2a	Enter the number of employees reported on Form W-3, *Transmittal of Wage and Tax Statements* filed for the calendar year ending with or within the year covered by this return	**2a**	2,260			
b	If at least one is reported in 2a, did the organization file all required federal employment tax returns? **Note:** *If the sum of lines 1a and 2a is greater than 250, you may be required to e-file this return.*			**2b**	Yes	
3a	Did the organization have unrelated business gross income of $1,000 or more during the year covered by this return?			**3a**	Yes	
b	If "Yes," has it filed a Form 990-T for this year? *If "No," provide an explanation in Schedule O*			**3b**	Yes	
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?			**4a**	Yes	
b	If "Yes," enter the name of the foreign country NL, HK, KS, CH, AS, SP See the instructions for exceptions and filing requirements for **Form TD F 90-22.1,** *Report of Foreign Bank and Financial Accounts.*					
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?			**5a**		No
b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?			**5b**		No
c	If "Yes," to 5a or 5b, did the organization file Form 8886-T, *Disclosure by Tax-Exempt Entity Regarding Prohibited Tax Shelter Transaction?*			**5c**		
6a	Did the organization solicit any contributions that were not tax deductible?			**6a**		No
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?			**6b**		
7	*Organizations that may receive deductible contributions under section 170(c).*					
a	Did the organization provide goods or services in exchange for any quid pro quo contribution of $75 or more?			**7a**		No
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?			**7b**		
c	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?			**7c**		No
d	If "Yes," indicate the number of Forms 8282 filed during the year	**7d**				
e	Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?			**7e**		No
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?			**7f**		No
g	For all contributions of qualified intellectual property, did the organization file Form 8899 as required?			**7g**		
h	For contributions of cars, boats, airplanes, and other vehicles, did the organization file a Form 1098-C as required?			**7h**		
8	*Section 501(c)(3) and other sponsoring organizations maintaining donor advised funds and section 509(a)(3) supporting organizations.* Did the supporting organization, or a fund maintained by a sponsoring organization, have excess business holdings at any time during the year?			**8**		
9	*Section 501(c)(3) and other sponsoring organizations maintaining donor advised funds.*					
a	Did the organization make any taxable distributions under section 4966?			**9a**		
b	Did the organization make a distribution to a donor, donor advisor, or related person?			**9b**		
10	*Section 501(c)(7) organizations.* Enter					
a	Initiation fees and capital contributions included on Part VIII, line 12	**10a**				
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities	**10b**				
11	Section 501(c)(12) organizations Enter					
a	Gross income from members or shareholders	**11a**				
b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them)	**11b**				
12a	*Section 4947(a)(1) non-exempt charitable trusts.* Is the organization filing Form 990 in lieu of Form 1041?			**12a**		
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year	**12b**				

Part VI **Governance, Management, and Disclosure** *(Sections A, B, and C request information about policies not required by the Internal Revenue Code.)*

Section A. Governing Body and Management

For each "Yes" response to lines 2-7 below, and for a "No" response to lines 8 or 9b below, describe the circumstances, processes, or changes in Schedule O. See instructions.

			Yes	No
1a	Enter the number of voting members of the governing body . . **1a** 14			
b	Enter the number of voting members that are independent . . **1b** 11			
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?	2	Yes	
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?	3		No
4	Did the organization make any significant changes to its organizational documents since the prior Form 990 was filed?	4	Yes	
5	Did the organization become aware during the year of a material diversion of the organization's assets?	5		No
6	Does the organization have members or stockholders?	6		No
7a	Does the organization have members, stockholders, or other persons who may elect one or more members of the governing body?	7a		No
b	Are any decisions of the governing body subject to approval by members, stockholders, or other persons?	7b		No
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following			
a	the governing body?	8a	Yes	
b	each committee with authority to act on behalf of the governing body?	8b	Yes	
9a	Does the organization have local chapters, branches, or affiliates?	9a		No
b	If "Yes," does the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with those of the organization?	9b		
10	Was a copy of the Form 990 provided to the organization's governing body before it was filed? All organizations must describe in Schedule O the process, if any, the organization uses to review the Form 990	10	Yes	
11	Is there any officer, director or trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O	11		No

Section B. Policies

			Yes	No
12a	Does the organization have a written conflict of interest policy? *If "No", go to line 13*	12a	Yes	
b	Are officers, directors or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	12b	Yes	
c	Does the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this is done	12c	Yes	
13	Does the organization have a written whistleblower policy?	13	Yes	
14	Does the organization have a written document retention and destruction policy?	14	Yes	
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision			
a	The organization's CEO, Executive Director, or top management official?	15a	Yes	
b	Other officers or key employees of the organization?	15b	Yes	
	Describe the process in Schedule O			
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?	16a	Yes	
b	If "Yes," has the organization adopted a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable Federal tax law, and taken steps to safeguard the organization's exempt status with respect to such arrangements?	16b	Yes	

Section C. Disclosure

17 List the States with which a copy of this Form 990 is required to be filed CA , IL , LA , MA , MI , MN , NY , OH , OR

18 Section 6104 requires an organization to make its Form 1023 (or 1024 if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection Indicate how you make these available Check all that apply

☐ own website ☐ another's website ☑ upon request

19 Describe in Schedule O whether (and if so, how), the organization makes its governing documents, conflict of interest policy, and financial statements available to the public See Additional Data Table

20 State the name, physical address, and telephone number of the person who possesses the books and records of the organization

THOMAS J GOEDKEN
500 ACT DRIVE
IOWA CITY, IA 522430168
(319) 337-1000

Part VII **Compensation of Officers, Directors,Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors**

Section A Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed Use Schedule J-2 if additional space is needed

* List all of the organization's **current** officers, directors, trustees (whether individuals or organizations) and key employees regardless of amount of compensation, and current key employees Enter -0- in columns (D), (E), and (F) if no compensation was paid

* List the organization's five **current** highest compensated employees (other than an officer, director, trustee or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than $100,000 from the organization and any related organizations

* List all of the organization's **former** officers, key employees, or highest compensated employees who received more than $100,000 of reportable compensation from the organization and any related organizations

* List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than $10,000 of reportable compensation from the organization and any related organizations

List persons in the following order individual trustees or directors, institutional trustees, officers, key employees, highest compensated employees, and former such persons

☐ Check this box if the organization did not compensate any officer, director, trustee or key employee

(A) Name and Title	(B) Average hours per week	(C) Position (check all that apply) Individual Trustee or Director	Institutional Trustee	Officer	Key employee	Highest compensated employee	Former	(D) Reportable compensation from the organization (W-2/1099MISC)	(E) Reportable compensation from related organizations (W- 2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations

Part VII Continued

(A) Name and Title	(B) Average hours per week	(C) Position (check all that apply) Individual Trustee or Director	Institutional Trustee	Officer	Key employee	Highest compensated employee	Former	(D) Reportable compensation from the organization (W- 2/1099MISC)	(E) Reportable compensation from related organizations (W- 2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
1b Total								3,417,664		632,700

2 Total number of individuals (including those in 1a) who received more than $100,000 in reportable compensation from the organization ▶69

			Yes	No
3	Did the organization list any **former** officer, director or trustee, key employee, or highest compensated employee on line 1a? *If "Yes," complete Schedule J for such individual*	3		No
4	For any individual listed online 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than $150,000? *If "Yes," complete Schedule J for such individual*	4	Yes	
5	Did any person listed on line 1a receive or accrue compensation from any unrelated organization for services rendered to the organization? *If "Yes," complete Schedule J for such person*	5		No

Section B. Independent Contractors

1 Complete this table for your five highest compensated independent contractors that received more than $100,000 of compensation from the organization

(A) Name and business address	(B) Description of services	(C) Compensation
NCS PEARSON INC 2510 N DODGE ST IOWA CITY, IA 52245	COMPUTER PROCESSING	23,904,289
ROLTA TUSC INC 377 E BUTTERFIELD RD STE 100 LOMBARD, IL 60148	CONSULTING	8,682,350
MSI SYSTEMS INTEGRATORS 14301 1ST NATIONAL PKWY STE 400 OMAHA, NE 68154	DATA PROCESSING	7,352,739
FEDERAL EXPRESS CORP 942 S SHADY GROVE RD MEMPHIS, TN 38120	FREIGHT AND SHIPPING	2,349,201
UNITED PARCEL SERVICE LOCKBOX 577 CAROL STREAM, IL 60132	FREIGHT AND SHIPPING	2,071,656

2 Total number of independent contractors (including those in 1) who received more than $100,000 in compensation from the organization ▶ 104

Part VIII **Statement of Revenue**

			(A) Total Revenue	(B) Related or Exempt Function Revenue	(C) Unrelated Business Revenue	(D) Revenue Excluded from Tax under IRC 512, 513, or 514
Contributions, gifts, grants and other similar amounts						
1a	Federated campaigns . . 1a					
b	Membership dues 1b					
c	Fundraising events 1c					
d	Related organizations . . . 1d					
e	Government grants (contributions) 1e					
f	All other contributions, gifts, grants, and similar amounts not included above 1f	640,000				
g	Noncash contributions included in lines 1a-1f $					
h	**Total (Add lines 1a-1f)** . . . . ▶		640,000			
Program Service Revenue		Business Code				
2a	EDUCATIONAL ASSESSMENT	611,710	200,278,945	200,278,945		
b	WORKFORCE DEVELOPMENT	541,900	43,204,495	29,852,294	13,352,201	
c						
d						
e						
f	All other program service revenue					
g	**Total. Add lines 2a-2f** . . . . ▶ $ 243,483,440					
Other Revenue						
3	Investment income (including dividends, interest other similar amounts) . . . . ▶		7,036,999			7,036,999
4	Income from investment of tax-exempt bond proceeds . . ▶					
5	Royalties					
		(i) Real / (ii) Personal				
6a	Gross Rents					
b	Less rental expenses					
c	Rental income or (loss)					
d	Net rental income or (loss) . . . . ▶					
		(i) Securities / (ii) Other				
7a	Gross amount from sales of assets other than inventory	123,092,986 / 813				
b	Less cost or other basis and sales expenses	136,182,165 / 7,525				
c	Gain or (loss)	-13,089,179 / -6,712				
d	Net gain or (loss) . . . . ▶		-13,095,891			-13,095,891
8a	Gross income from fundraising events (not including $ of contributions reported on line 1c) See Part IV, line 18 *Attach Schedule G if total exceeds $15,000* . . . . a					
b	Less direct expenses . . . b					
c	Net income or (loss) from fundraising events . . ▶					
9a	Gross income from gaming activities See part IV, line 19 *Complete Schedule G if total exceeds $15,000* a					
b	Less direct expenses . . . b					
c	Net income or (loss) from gaming activities . . . ▶					
10a	Gross sales of inventory, less returns and allowances . a					
b	Less cost of goods sold . . b					
c	Net income or (loss) from sales of inventory . . ▶					
	Miscellaneous Revenue	Business Code				
11a						
b						
c						
d	All other revenue					
e	**Total. Add lines 11a-11d** . . . . $					
12	**Total Revenue.** Add lines 1h, 2g, 3, 4, 5, 6d, 7d, 8c, 9c, 10c, and 11e . . . . . ▶		238,064,548	230,131,239	13,352,201	-6,058,892

Part IX **Statement of Functional Expenses**

Section 501(c)(3) and 501(c)(4) organizations must complete all columns.
All other organizations must complete column (A) but are not required to complete columns (B), (C), and (D).

	Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1	Grants and other assistance to governments and organizations in the U S See Part IV, line 21	2,213,877	2,213,877		
2	Grants and other assistance to individuals in the U S See Part IV, line 22				
3	Grants and other assistance to governments, organizations and individuals outside the U S See Part IV, lines 15 and 16				
4	Benefits paid to or for members				
5	Compensation of current officers, directors, trustees, and key employees	3,581,470	2,090,806	1,490,664	
6	Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7	Other salaries and wages	64,001,595	57,706,461		
8	Pension plan contributions (include section 401(k) and section 403(b) employer contributions)	7,854,506	7,036,750	817,756	
9	Other employee benefits	8,835,459	7,604,719	1,230,740	
10	Payroll taxes	4,990,835	4,474,358	516,477	
11	Fees for services (non-employees)				
a	Management				
b	Legal	587,818	37,229	550,589	
c	Accounting	101,915	7,225	94,690	
d	Lobbying	130,082	130,082		
e	Professional fundraising *See Part IV, line 17*				
f	Investment management fees	542,734		542,734	
g	Other	33,136,893	30,094,864	3,042,029	
12	Advertising and promotion	698,636	574,396	124,240	
13	Office expenses	28,928,236	25,994,972	2,933,264	
14	Information technology	8,002,135	6,248,780	1,753,355	
15	Royalties	67,889		67,889	
16	Occupancy	5,307,096	580,449	4,726,647	
17	Travel	4,977,495	4,290,095	687,400	
18	Payments of travel or entertainment expenses for any Federal, state or local public officials				
19	Conferences, conventions and meetings	2,072,282	1,250,748	821,534	
20	Interest	957,203	957,203		
21	Payments to affiliates				
22	Depreciation, depletion, and amortization	15,639,109	7,441,423	8,197,686	
23	Insurance	390,783	135	390,648	
24	Other expenses—Itemize expenses not covered above (Expenses grouped together and labeled miscellaneous may not exceed 5% of total expenses shown on line 25 below)				
a	TEST ADMINISTRATION	34,456,296	34,456,296		
b	BAD DEBTS	1,237,052	1,237,052		
c	MEMBERSHIP FEES	266,957	168,705	98,252	
d	FEDERAL TAXES (UBIT)	67,354		67,354	
f	All other expenses	84,882	53,217	31,665	
25	**Total functional expenses.** Add lines 1 through 24f	229,130,589	194,649,842	34,480,747	0
26	**Joint Costs.** Check ☐ if following SOP 98-2 Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation				

Part X Balance Sheet

			(A) Beginning of year		(B) End of year
Assets	1	Cash—non-interest-bearing		1	
	2	Savings and temporary cash investments	14,054,592	2	30,307,670
	3	Pledges and grants receivable, net		3	
	4	Accounts receivable, net	26,890,575	4	41,972,199
	5	Receivables from current and former officers, directors, trustees, key employees or other related parties *Complete Part II of Schedule L*		5	
	6	Receivables from other disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B) *Complete Part II of Schedule L*		6	
	7	Notes and loans receivable, net		7	
	8	Inventories for sale or use		8	3,587,390
	9	Prepaid expenses and deferred charges	5,911,772	9	2,871,389
	10a	Land, buildings, and equipment cost basis — 10a 139,847,511			
	b	Less accumulated depreciation *Complete Part VI of Schedule D* — 10b 71,107,928	72,694,458	10c	68,739,583
	11	Investments—publicly traded securities	147,532,721	11	142,150,488
	12	Investments—other securities See Part IV, line 11 *Complete Part VII of Schedule D*	66,413,776	12	62,966,926
	13	Investments—program-related See Part IV, line 11 *Complete Part VIII of Schedule D*		13	
	14	Intangible assets		14	
	15	Other assets See Part IV, line 11 *Complete Part IX of Schedule D*	14,217,485	15	10,125,896
	16	**Total assets.** *Add lines 1 through 15 (must equal line 34)*	347,715,379	16	362,721,541
Liabilities	17	Accounts payable and accrued expenses	19,071,483	17	23,212,153
	18	Grants payable		18	
	19	Deferred revenue	16,020,255	19	23,191,363
	20	Tax-exempt bond liabilities	35,790,000	20	34,850,000
	21	Escrow account liability *Complete Part IV of Schedule D*		21	
	22	Payable to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons *Complete Part II of Schedule L*		22	
	23	Secured mortgages and notes payable to unrelated third parties	633,492	23	353,301
	24	Unsecured notes and loans payable		24	
	25	Other liabilities *Complete Part X of Schedule D*	5,212,023	25	5,657,336
	26	**Total liabilities.** *Add lines 17 through 25*	76,727,253	26	87,264,153
Net Assets or Fund Balances		**Organizations that follow SFAS 117, check here ▶ ☑ and complete lines 27 through 29, and lines 33 and 34.**			
	27	Unrestricted net assets	269,590,015	27	272,879,125
	28	Temporarily restricted net assets	1,398,111	28	2,578,263
	29	Permanently restricted net assets		29	
		Organizations that do not follow SFAS 117, check here ▶ ☐ and complete lines 30 through 34.			
	30	Capital stock or trust principal, or current funds		30	
	31	Paid-in or capital surplus, or land, building or equipment fund		31	
	32	Retained earnings, endowment, accumulated income, or other funds		32	
	33	Total net assets or fund balances	270,988,126	33	275,457,388
	34	Total liabilities and net assets/fund balances	347,715,379	34	362,721,541

Part XI Financial Statements and Reporting

			Yes	No
1	Accounting method used to prepare the Form 990 ☐ cash ☑ accrual ☐ other			
2a	Were the organization's financial statements compiled or reviewed by an independent accountant?	2a		No
b	Were the organization's financial statements audited by an independent accountant?	2b		No
c	If "Yes" to lines 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?	2c		
3a	As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?	3a		No
b	If "Yes," did the organization undergo the required audit or audits?	3b		

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SCHEDULE A
(Form 990 or 990EZ)

Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

To be completed by all section 501(c)(3) organizations and section 4947(a)(1) nonexempt charitable trusts.
Attach to Form 990 or Form 990-EZ. See separate instructions.

OMB No 1545-0047

2008

Open to Public Inspection

Name of the organization
ACT INC

Employer identification number
42-0841485

Part I Reason for Public Charity Status (to be completed by all organizations) (See Instructions)

The organization is not a private foundation because it is (Please check only **one** organization)

1 ☐ A church, convention of churches, or association of churches described in **Section 170(b)(1)(A)(i).**

2 ☐ A school described in **Section 170(b)(1)(A)(ii).** (Attach Schedule E)

3 ☐ A hospital or a cooperative hospital service organization described in **Section 170(b)(1)(A)(iii).** (Attach Schedule H)

4 ☐ A medical research organization operated in conjunction with a hospital described in **Section 170(b)(1)(A)(iii).** Enter the hospital's name, city, and state

5 ☐ An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **Section 170(b)(1)(A)(iv).** (Complete Part II)

6 ☐ A federal, state, or local government or governmental unit described in **Section 170(b)(1)(A)(v).**

7 ☐ An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **Section 170(b)(1)(A)(vi)** (Complete Part II)

8 ☐ A community trust described in **Section 170(b)(1)(A)(vi)** (Complete Part II)

9 ☑ An organization that normally receives (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975 See **Section 509(a)(2).** (Complete Part III)

10 ☐ An organization organized and operated exclusively to test for public safety See **Section 509(a)(4).** (See instructions)

11 ☐ An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2) See **Section 509(a)(3).** Check the box that describes the type of supporting organization and complete lines 11e through 11h

a ☐ Type I **b** ☐ Type II **c** ☐ Type III - Functionally Integrated **d** ☐ Type III - Other

e ☐ By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2)

f If the organization received a written determination from the IRS that it is a Type I, Type II or Type III supporting organization, check this box ☐

g Since August 17, 2006, has the organization accepted any gift or contribution from any of the following persons?

		Yes	No
(i) a person who directly or indirectly controls, either alone or together with persons described in (ii) and (iii) below, the governing body of the the supported organization?	**11g(i)**		
(ii) a family member of a person described in (i) above?	**11g(ii)**		
(iii) a 35% controlled entity of a person described in (i) or (ii) above?	**11g(iii)**		

h Provide the following information about the organizations the organization supports

(i) Name of Supported Organization	**(ii)** EIN	**(iii)** Type of organization (described on lines 1- 9 above or IRC section **(See Instructions)**)	**(iv)** Is the organization in col **(i)** listed in your governing document? Yes	No	**(v)** Did you notify the organization in col **(i)** of your support? Yes	No	**(vi)** Is the organization in col **(i)** organized in the U S ? Yes	No	**(vii)** Amount of support?
Total									

Part II Support Schedule for Organizations Described in IRC 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)

(Complete only if you checked the box on line 5, 7, or 8 of Part I.)

Public Support

Calendar year (or fiscal year beginning in)	(a) 2004	(b) 2005	(c) 2006	(d) 2007	(e) 2008	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants ")						
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge						
4 **Total.** Add line 1-3						
5 The portion of total contribution by each person (other than a government unit or publicly supported organization) included on line 1 that exceed 2% of the amount shown on line 11, column (f)						
6 **Public Support** subtract line 5 from line 4						

Total Support

Calendar year (or fiscal year beginning in)	(a) 2004	(b) 2005	(c) 2006	(d) 2007	(e) 2008	(f) Total
7 Amounts from line 4						
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income Do not include gain or loss from the sale of capital assets (Explain in Part IV)						
11 **Total Support** (Add lines 7 through 10)						

12 Gross receipts from related activities, etc (See instructions) **12**

13 **First Five Years.** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a 501(c)(3) organization, check this box and **stop here** ▶☐

Computation of Public Support Percentage

14 Public Support Percentage for 2008 (line 6 column (f) divided by line 11 column (f)) **14**

15 Public Support Percentage for 2007 Schedule A, Part IV-A, line 26f **15**

16a **33 1/3% Test - 2008.** If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶☐

b **33 1/3% Test - 2007.** If the organization did not check the box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶☐

17a **10% Facts and Circumstances Test - 2008.** If the organization did not check a box on line 13, 16a, or 16b and line 14 is 10% or more, and if the organization meets the "facts and circumstances" test, check this box and **stop here.** Explain in Part IV how the organization meets the "facts and circumstances" test The organization qualifies as a publicly supported organization ▶☐

b **10% Facts and Circumstances Test - 2007.** If the organization did not check a box on line 13, 16a, 16b, or 17a and line 15 is 10% or more, and if the organization meets the "facts and circumstances" test, check this box and **stop here.** Explain in Part IV how the organization meets the "facts and circumstances" test The organization qualifies as a publicly supported organization ▶☐

18 **Private Foundation.** If the organization did not check the box on line 13, 16a, 16b, 17a or 17b, check this box and see instructions ▶☐

Part III **Support Schedule for Organizations Described in IRC 509(a)(2)**
(Complete only if you checked the box on line 9 of Part I.)

Section A. Public Support

Calendar year (or fiscal year beginning in)	(a) 2004	(b) 2005	(c) 2006	(d) 2007	(e) 2008	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants ")					640,000	640,000
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose	154,506,318	175,938,301	201,972,325	215,000,757	230,131,241	977,548,942
3 Gross receipts from activities that are not an unrelated trade or business under section 513						0
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						0
5 The value of services or facilities furnished by a governmental unit to the organization without charge						0
6 **Total** Add lines 1-5	154,506,318	175,938,301	201,972,325	215,000,757	230,771,241	978,188,942
7a Amounts included on lines 1, 2, and 3 received from disqualified persons					744,764	744,764
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of 1% of the total of lines 9, 10c, 11, and 12 for the year or $5,000	22,836,574	27,394,998	35,366,570	28,301,121	29,868,001	143,767,264
c Total of lines 7a and 7b	22,836,574	27,394,998	35,366,570	28,301,121	30,612,765	144,512,028
8 **Public Support** (Substract line 7c from line 6)						833,676,914

Total Support

Calendar year (or fiscal year beginning in)	(a) 2004	(b) 2005	(c) 2006	(d) 2007	(e) 2008	(f) Total
9 Amounts from line 6	154,506,318	175,938,301	201,972,325	215,000,757	230,771,241	978,188,942
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	4,998,739	6,230,571	8,012,395	7,876,843	7,036,999	34,155,547
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after 30 June, 1975						0
c Add lines 10a and 10b	4,998,739	6,230,571	8,012,395	7,876,843	7,036,999	34,155,547
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on	515,071	350,165	604,781	193,568	216,650	1,880,235
12 Other income Do not include gain or loss from the sale of capital assets (Explain in Part IV)						0
13 **Total Support** (Add lines 9, 10c, 11 and 12)						1,014,224,724

14 **First Five Years** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a 501(c)(3) organization, check this box and **stop here** ▶☐

Computation of Public Support Percentage

15	Public Support Percentage for 2008 (line 8 column (f) divided by line 13 column (f))	15	82 200 %
16	Public Support Percentage for 2007 Schedule A, Part IV-A, line 27g	16	81 190 %

Computation of Investment Income Percentage

17	Investment Income Percentage for **2008** (line 10c column (f) divided by line 13 column (f))	17	3 370 %
18	Investment Income Percentage from **2007** Schedule A, Part IV-A, line 27h	18	3 370 %

19a **33 1/3% Tests - 2008.** If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶☑

b **33 1/3% Tests - 2007.** If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3% and line 18 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶☐

20 **Private Foundation** If the organization did not check a box on line 14, 19a or 19b, check this box and see instructions ▶☐

Part IV **Supplemental Information.** Complete this part to provide the information required by Part II, line 10; Part II, line 17a or 17b, or Part III, line 12. Provide and any other additional information. (see instructions)

Facts and Circumstances Test

Additional Data

Software ID:
Software Version:
EIN: 42-0841485
Name: ACT INC

Form 990, Part VII - Section Aaa

(A) Name and Title	(B) Average hours per week	(C) Position: Individual Trustee or Director	Institutional Trustee	Officer	Key employee	Highest compensated employee	Former	(D) Reportable compensation from the organization (W-2/1099MISC)	(E) Reportable compensation from related organizations (W- 2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
RICHARD L FERGUSON , CEO/CHAIRMAN OF BOARD	69 00	X		X				649,948	0	84,635
DIXIE L AXLEY , DIRECTOR	5 00	X						22,500	0	0
JAMES E BOSTIC JR , DIRECTOR	5 00	X						48,500	0	0
SARITA E BROWN , DIRECTOR	5 00	X						33,000	0	0
CARL A COHN , DIRECTOR	5 00	X						46,500	0	0
D ROBERT GRAHAM , DIRECTOR	5 00	X						45,000	0	0
KAREN A HOLBROOK , DIRECTOR	5 00	X						42,000	0	0
ROBERTS T JONES , DIRECTOR	5 00	X						45,500	0	0
MARK D MUSICK , LEAD DIRECTOR	5 00	X		X				41,500	0	15,500
DIANA G OBLINGER , DIRECTOR	5 00	X						0	0	0
CHARLES B REED , DIRECTOR	5 00	X						49,500	0	0
RICHARD W RILEY , DIRECTOR	5 00	X						24,000	0	15,500
J THEODORE SANDERS , DIRECTOR	5 00	X						49,500	0	0
BELLE S WHEELAN , DIRECTOR/SECRETARY	5 00	X		X				49,000	0	0
THOMAS GOEDKEN , CFO/TREASURER	58 00			X				266,474	0	40,662
CYNTHIA SCHMEISER , PRES & COO EDUCATION	59 00				X			321,810	0	113,651
MARTIN L SCAGLIONE , PRES & COO WORKFORCE	57 00				X			273,770	0	37,639
ARTHUR C PETERS , VP	61 00				X			196,658	0	37,079
ANN YORK , VP	48 00				X			218,517	0	42,417
THOMAS SATERFIEL , VP	46 00					X		212,231	0	64,950
JON ERICKSON , VP	68 00					X		208,265	0	63,764
ROSE RENNEKAMP , VP	48 00					X		199,658	0	51,228
DOUGLAS BECKER , VP	53 00					X		190,277	0	39,253
BO WANG , VP	45 00					X		183,556	0	26,422

Form 990, Part III, Line 1 - Briefly describe the organization's mission:

ACT, INC. (ACT) WAS ESTABLISHED AS A CORPORATION NOT FOR PECUNIARY PROFIT UNDER THE LAWS OF THE STATE OF IOWA ON AUGUST 23, 1960. THE PURPOSE AND MISSION OF ACT IS TO ADVANCE EDUCATION BY PROVIDING PROGRAMS, SERVICES, AND CONDUCTING RESEARCH THAT ASSISTS: A) INDIVIDUALS PLANNING AND PURSUING EDUCATION AND TRAINING, B) EDUCATORS DELIVERING INSTRUCTION AND TRAINING, AND C) POLICY MAKERS CONCERNED WITH ENSURING THAT INDIVIDUALS ARE READY FOR EDUCATION AND WORKPLACE SUCCESS.

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SCHEDULE C
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Political Campaign and Lobbying Activities

For Organizations Exempt From Income Tax Under section 501(c) and section 527

To be completed by organizations described below. Attach to Form 990 or Form 990-EZ

OMB No 1545-0047

2008

Open to Public Inspection

If the organization answered "Yes," to Form 990, Part IV, Line 3, or Form 990-EZ, Part VI, line 46 (Political Campaign Activities)
- Section 501(c)(3) organizations complete Parts I-A and B Do not complete Part I-C
- Section 501(c) (other than section 501(c)(3)) organizations complete Parts I-A and C below Do not complete Part I-B
- Section 527 organizations complete Part I-A only

If the organization answered "Yes," to Form 990, Part IV, Line 4, or Form 990EZ, Part VI, line 47 (Lobbying Activities)
- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)) complete Part II-A Do not complete Part II-B
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)) Complete Part II-B Do not complete Part II-A

If the organization answered "Yes," to Form 990, Part IV, Line 5 (Proxy Tax)
- Section 501(c)(4), (5), or (6) organizations complete Part III

Name of the organization	Employer identification number
ACT INC	42-0841485

Part I-A **To be completed by all organizations exempt under section 501(c) and section 527 organizations.** (See the instructions for Schedule C for details.)

1 Provide a description of the organization's direct and indirect political campaign activities in Part IV

2 Political expenditures $

3 Volunteer hours

Part I-B **To be completed by all organizations exempt under section 501(c)(3).** (See the instructions for Schedule C for details.)

1 Enter the amount of any excise tax incurred by the organization under section 4955 $

2 Enter the amount of any excise tax incurred by organization managers under section 4955 $

3 If the organization incurred in a section 4955 tax, did it file Form 4720 for this year? ☐ **Yes** ☐ **No**

4a Was a correction made? ☐ **Yes** ☐ **No**

b If "Yes," describe in Part IV

Part I-C **To be completed by all organizations exempt under section 501(c), except section 501(c)(3).** (See the instructions for Schedule C for details.)

1 Enter the amount directly expended by the filing organization for section 527 exempt function activities $

2 Enter the amount of the filing organization's internal funds contributed to other organizations for section 527 exempt funtion activities $

3 Total of direct and indirect exempt function expenditures Add lines 1 and 2 and enter here and on Form 1120-POL, line 17b $

4 Did the filing organization file **Form 1120-POL** for this year? ☐ **Yes** ☐ **No**

5 State the names, addresses and Employer Identification Number (EIN) of all section 527 political organizations to which payments were made Enter the amount paid and indicate if the amount was paid from the filing organization's own internal funds or were political contributions received and promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC) If additional space is needed, provide information in Part IV

(a) Name	**(b)** Address	**(c)** EIN	**(d)** Amount paid from filing organization's internal funds If none, enter -0-	**(e)** Amount of political contributions received and promptly and directly delivered to a separate political organization If none, enter -0-

Part II-A **To be completed by organizations exempt under section 501(c)(3) that filed Form 5768 (election under section 501(h)).** (See the instructions for Schedule C for details.)

A Check ☐ if the filing organization belongs to an affiliated group
B Check ☐ if the filing organization checked box A and "limited control" provisions apply

Limits on Lobbying Expenditures— (The term "expenditures" means amounts paid or incurred.)	**(a)** Filing Organization's Totals	**(b)** Affiliated Group Totals
1a Total lobbying expenditures to influence public opinion (grass roots lobbying)		
b Total lobbying expenditures to influence a legislative body (direct lobbying)		
c Total lobbying expenditures (add lines 1a and 1b)		
d Other exempt purpose expenditures		
e Total exempt purpose expenditures (add lines 1c and 1d)		
f Lobbying nontaxable amount Enter the amount from the following table in both columns—		
g Grassroots nontaxable amount (enter 25% of line 1f)		
h Subtract line 1g from line 1a Enter -0- if line g is more than line a		
i Subtract line 1f from line 1c Enter -0- if line f is more than line c		

If the amount on line 1e, column (a) or (b) is:	**The lobbying nontaxable amount is:**
Not over $500,000	20% of the amount on line 1e
Over $500,000 but not over $1,000,000	$100,000 plus 15% of the excess over $500,000
Over $1,000,000 but not over $1,500,000	$175,000 plus 10% of the excess over $1,000,000
Over $1,500,000 but not over $17,000,000	$225,000 plus 5% of the excess over $1,500,000
Over $17,000,000	$1,000,000

j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year? ☐ **Yes** ☐ **No**

4-Year Averaging Period Under Section 501(h)
(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the instructions for lines 1a through 1f of the instructions.)

Lobbying Expenditures During 4-Year Averaging Period

Calendar year (or fiscal year beginning in)	**(a)** 2005	**(b)** 2006	**(c)** 2007	**(d)** 2008	**(e)** Total
2a Lobbying non-taxable amount					
b Lobbying ceiling amount (150% of line 2a, column(e))					
c Total lobbying expenditures					
d Grassroots non-taxable amount					
e Grassroots ceiling amount (150% of line d, column (e))					
f Grassroots lobbying expenditures					

Part II-B To be completed by organizations exempt under section 501(c)(3) that have NOT filed Form 5768 (election under section 501(h)). (See the instructions for Schedule C for details.)

		(a) Yes	(a) No	(b) Amount
1	During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of			
a	Volunteers?		No	
b	Paid staff or management (include compensation in expenses reported on lines c through i)?	Yes		
c	Media advertisements?		No	
d	Mailings to members, legislators, or the public?		No	
e	Publications, or published or broadcast statements?		No	
f	Grants to other organizations for lobbying purposes?		No	
g	Direct contact with legislators, their staffs, government officials, or a legislative body?	Yes		130,082
h	Rallies, demonstrations, seminars, conventions, speeches, lectures, or any other means?		No	
i	Other activities If "Yes," describe in Part IV		No	
j	Total lines 1c through 1i			130,082
2a	Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?		No	
b	If "Yes" enter the amount of any tax incurred under section 4912			
c	If "Yes" enter the amount of any tax incurred by organization managers under section 4912			
d	If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?			

Part III-A To be completed by all organizations exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6). (See the instructions for Schedule C for details.)

			Yes	No
1	Were substantially all (90% or more) dues received nondeductible by members?	1		
2	Did the organization make only in-house lobbying expenditures of $2,000 or less?	2		
3	Did the organization agree to carryover lobbying and political expenditures from the prior year?	3		

Part III-B To be completed by all organizations exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) if BOTH Part III-A, questions 1 and 2 are answered "No" OR if Part III-A, question 3 is answered "Yes." (See the instructions for Schedule C for details.)

1	Dues, assessments and similar amounts from members	1 $
2	Section 162(e) non-deductible lobbying and political expenditures ***(do not include amounts of political expenses for which the section 527(f) tax was paid).***	
a	Current Year	2a $
b	Carryover from last year	2b $
c	Total	2c $
3	Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues	3 $
4	If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?	4 $
5	Taxable amount of lobbying and political expenditures (line 2c total minus 3 and 4)	5 $

Part IV Supplemental Information

Complete this part to provide the descriptions required for Part I-A, line 1, Part I-B, line 4, Part I-C, line 5, and Part II-B, line 1i Also, complete this part for any additional information

Identifier	Return Reference	Explanation
		PART II-B, OTHER INFORMATIONACT CONTRACTED WITH THREE FIRMS AND THREE CONSULTANTS DURING THE YEAR TO ASSIST IN MONITORING FEDERAL AND STATE LEGISLATIVE ACTIVITY AND HELPING TO STRENGTHEN ACT'S RELATIONSHIPS WITHIN EACH STATE CONCERNING ACT INITIATIVES AND PROGRAMS

Part IV **Supplemental Information**

Identifier	Return Reference	Explanation

efile GRAPHIC print - DO NOT PROCESS | As Filed Data - | DLN: 93493162005190

SCHEDULE D
(Form 990)

Department of the Treasury
Internal Revenue Service

Supplemental Financial Statements

▶ **Attach to Form 990. To be completed by organizations that answered "Yes," to Form 990, Part IV, line 6, 7, 8, 9, 10, 11, or 12.**

OMB No 1545-0047

2008

Open to Public Inspection

Name of the organization
ACT INC

Employer identification number
42-0841485

Part I **Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.** Complete if the organization answered "Yes" to Form 990, Part IV, line 6.

		(a) Donor advised funds	**(b)** Funds and other accounts
1	Total number at end of year		
2	Aggregate Contributions to (during year)		
3	Aggregate Grants from (during year)		
4	Aggregate value at end of year		

5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? ☐ **Yes** ☐ **No**

6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds may be used only for charitable purposes and not for the benefit of the donor or donor advisor or other impermissible private benefit? ☐ **Yes** ☐ **No**

Part II **Conservation Easements.** Complete if the organization answered "Yes" to Form 990, Part IV, line 7.

1 Purpose(s) of conservation easements held by the organization (check all that apply)

☐ Preservation of land for public use (e g , recreation or pleasure)
☐ Preservation of an historically importantly land area
☐ Protection of natural habitat
☐ Preservation of certified historic structure
☐ Preservation of open space

2 Complete lines 2a–2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year

			Held at the End of the Year
a	Total number of conservation easements	**2a**	
b	Total acreage restricted by conservation easements	**2b**	
c	Number of conservation easements on a certified historic structure included in (a)	**2c**	
d	Number of conservation easements included in (c) acquired after 8/17/06	**2d**	

3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the taxable year ▶

4 Number of states where property subject to conservation easement is located ▶

5 Does the organization have a written policy regarding the periodic monitoring, inspection, violations, and enforcement of the conservation easements it holds? ☐ **Yes** ☐ **No**

6 Staff or volunteer hours devoted to monitoring, inspecting and enforcing easements during the year ▶

7 Amount of expenses incurred in monitoring, inspecting, and enforcing easements during the year ▶ $

8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and 170(h)(4)(B)(ii)? ☐ **Yes** ☐ **No**

9 In Part XIV, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements

Part III **Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.** Complete if the organization answered "Yes" to Form 990, Part IV, line 8.

1a If the organization elected, as permitted under SFAS 116, not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education or research in furtherance of public service, provide, in Part XIV, the text of the footnote to its financial statements that describes these items

b If the organization elected, as permitted under SFAS 116, to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items

(i) Revenues included in Form 990, Part VIII, line 1 ▶ $

(ii) Assets included in Form 990, Part X ▶ $

2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 relating to these items

a Revenues included in Form 990, Part VIII, line 1 ▶ $

b Assets included in Form 990, Part X ▶ $

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets *(continued)*

3 Using the organization's accession and other records, check any of the following that are a significant use of its collection items (check all that apply)

a ☐ Public exhibition
b ☐ Scholarly research
c ☐ Preservation for future generations
d ☐ Loan or exchange programs
e ☐ Other

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIV

5 During the year, did the organization solicit or receive donations of art, historical treasures or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? ☐ Yes ☐ No

Part IV Trust, Escrow and Custodial Arrangements. Complete if the organization answered "Yes" to Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? ☐ Yes ☐ No

b If "Yes," explain why in Part XIV and complete the following table

			Amount
c	Beginning balance	1c	
d	Additions during the year	1d	
e	Distributions during the year	1e	
f	Ending balance	1f	

2a Did the organization include an amount on Form 990, Part X, line 21? ☐ Yes ☐ No

b If "Yes," explain the arrangement in Part XIV

Part V Endowment Funds. Complete if the organization answered "Yes" to Form 990, Part IV, line 10.

		(a) Current Year	(b) Prior Year	(c) Two Years Back	(d) Three Years Back	(e) Four Years Back
1a	Beginning of year balance					
b	Contributions					
c	Investment earnings or losses					
d	Grants or scholarships					
e	Other expenditures for facilities and programs					
f	Administrative expenses					
g	End of year balance					

2 Provide the estimated percentage of the year end balance held as

a Board designated or quasi-endowment ▶

b Permanent endowment ▶

c Term endowment ▶

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by

			Yes	No
	(i) unrelated organizations	3a(i)		
	(ii) related organizations	3a(ii)		
b	If "Yes" to 3a(ii), are the related organizations listed as required on Schedule R?	3b		

4 Describe in Part XIV the intended uses of the organization's endowment funds

Part VI Investments—Land, Buildings, and Equipment. See Form 990, Part X, line 10.

Description of investment	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Depreciation	(d) Book value
1a Land		4,402,630		4,402,630
b Buildings		65,159,520	17,669,061	47,490,459
c Leasehold improvements		5,329,945	4,500,729	829,216
d Equipment		64,766,006	48,938,138	15,827,868
e Other		189,410		189,410
Total. Add lines 1a-1e *(Column (d) should equal Form 990, Part X, column (B), line 10(c).)* ▶				68,739,583

Part VII Investments—Other Securities. See Form 990, Part X, line 12.

(a) Description of security or cateory (including name of security)	(b) Book value	(c) Method of valuation Cost or end-of-year market value
Financial derivatives and other financial products		
Closely-held equity interests		
Other ASSET BACKED SECURITIES	36,538,420	F
Other NONMARKETABLE EQUITY SECURITIES	10,983,001	F
Other MONEY MARKET ACCOUNTS	7,484,852	F
Other INVESTMENT IN FOREIGN SUBSIDIARIES	1,885,722	C
Other INVESTMENT IN NATIONAL CENTER FOR EDUCATIONAL ACHIEVEMENT (SUBSIDIARY)	6,074,931	C
Total. *(Column (b) should equal Form 990, Part X, col (B) line 12)* ▶	62,966,926	

Part VIII Investments—Program Related. See Form 990, Part X, line 13.

(a) Description of investment type	(b) Book value	(c) Method of valuation Cost or end-of-year market value
Total. *(Column (b) should equal Form 990, Part X, col (B) line 13)* ▶		

Part IX Other Assets. See Form 990, Part X, line 15.

(a) Description	(b) Book value
Total. *(Column (b) should equal Form 990, Part X, col.(B) line 15.)* . . . . ▶	

Part X Other Liabilities. See Form 990, Part X, line 25.

(a) Description of Liability	(b) Amount
Federal Income Taxes	
INTEREST RATE SWAP	1,929,211
ACTUARIAL ESTIMATE OF EMPLOYEE BENEFIT PLAN LIABILITY	3,728,125
Total. *(Column (b) should equal Form 990, Part X, col (B) line 25)* ▶	5,657,336

In Part XIV, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48

Part XI Reconciliation of Change in Net Assets from Form 990 to Financial Statements

1	Total revenue (Form 990, Part VIII, column (A), line 12)	1	238,064,548
2	Total expenses (Form 990, Part IX, column (A), line 25)	2	229,130,589
3	Excess or (deficit) for the year Subtract line 2 from line 1	3	8,933,959
4	Net unrealized gains (losses) on investments	4	-4,302,535
5	Donated services and use of facilities	5	
6	Investment expenses	6	
7	Prior period adjustments	7	
8	Other (Describe in Part XIV)	8	-162,162
9	Total adjustments (net) Add lines 4 - 8	9	-4,464,697
10	Excess or (deficit) for the year per financial statements Combine lines 3 and 9	10	4,469,262

Part XII Reconciliation of Revenue per Audited Financial Statements With Revenue per Return

1	Total revenue, gains, and other support per audited financial statements			1	238,944,532
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12				
a	Net unrealized gains on investments	2a	-4,302,535		
b	Donated services and use of facilities	2b			
c	Recoveries of prior year grants	2c			
d	Other (Describe in Part XIV)	2d	5,175,808		
e	Add lines **2a** through **2d**			2e	873,273
3	Subtract line **2e** from line **1**			3	238,071,259
4	Amounts included on Form 990, Part VIII, line 12, but not on line **1**				
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a			
b	Other (Describe in Part XIV)	4b	-6,711		
c	Add lines **4a** and **4b**			4c	-6,711
5	Total Revenue Add lines **3** and **4c.** (This should equal Form 990, Part I, line 12)			5	238,064,548

Part XIII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return

1	Total expenses and losses per audited financial statements			1	234,475,270
2	Amounts included on line 1 but not on Form 990, Part IX, line 25				
a	Donated services and use of facilities	2a			
b	Prior year adjustments	2b			
c	Losses reported on Form 990, Part IX, line 25	2c			
d	Other (Describe in Part XIV)	2d	8,301,884		
e	Add lines **2a** through **2d**			2e	8,301,884
3	Subtract line **2e** from line **1**			3	226,173,386
4	Amounts included on Form 990, Part IX, line 25, but not on line **1:**				
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a			
b	Other (Describe in Part XIV)	4b	2,957,203		
c	Add lines **4a** and **4b**			4c	2,957,203
5	Total expenses Add lines **3** and **4c.** (This should equal Form 990, Part I, line 18)			5	229,130,589

Part XIV Supplemental Information

Complete this part to provide the descriptions required for Part II, lines 3, 5, and 9, Part III, lines 1a and 4, Part XIV, lines 1b and 2b, Part V, line 4, Part X, Part XI, line 8, Part XII, lines 2d and 4b, and Part XIII, lines 2d and 4b

Identifier	Return Reference	Explanation
		Part X FIN 48 EXPLANATION AUDITED FINANCIAL REPORT, NOTES 1 AND 5NOTE 1 - INCOME TAXESACT WAS INCORPORATED UNDER THE NONPROFIT CORPORATION ACT OF IOWA ON AUGUST 23, 1960 AND WAS GRANTED EXEMPTION FROM FEDERAL INCOME TAX UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AS OF MAY 3, 1965 NCEA WAS GRANTED NON-PROFIT STATUS BY THE INTERNAL REVENUE SERVICE IN A DETERMINATION LETTER DATED FEBRUARY 28, 2008 SEE NOTE 5 FOR INFORMATION ON INCOME TAXES ON UNRELATED BUSINESS INCOME ACT AND NCEA EACH FILE A FORM 990 (RETURN OF ORGANIZATION EXEMPT FROM INCOME TAX) ANNUALLY WHEN THESE RETURNS ARE FILED, IT IS HIGHLY CERTAIN THAT SOME POSITIONS TAKEN WOULD BE SUSTAINED UPON EXAMINATION BY THE TAXING AUTHORITIES, WHILE OTHERS ARE SUBJECT TO UNCERTAINTY ABOUT THE MERITS OF THE TAX POSITION TAKEN OR THE AMOUNT OF THE POSITION THAT WOULD ULTIMATELY BE SUSTAINED EXAMPLES OF TAX POSITIONS COMMON TO NOT-FOR-PROFIT ORGANIZATIONS INCLUDE SUCH MATTERS AS THE FOLLOWING THE TAX EXEMPT STATUS OF EACH ENTITY AND VARIOUS POSITIONS RELATIVE TO POTENTIAL SOURCES OF UNRELATED BUSINESS TAXABLE INCOME (UBIT) UBIT IS REPORTED ON FORM 990-T, AS APPROPRIATE THE BENEFIT OF A TAX POSITION IS RECOGNIZED IN THE FINANCIAL STATEMENTS IN THE PERIOD DURING WHICH, BASED ON ALL AVAILABLE EVIDENCE, MANAGEMENT BELIEVES THAT IT IS MORE LIKELY THAN NOT THAT THE POSITION WILL BE SUSTAINED UPON EXAMINATION, INCLUDING THE RESOLUTION OF APPEALS OR LITIGATION PROCESSES, IF ANY TAX POSITIONS ARE NOT OFFSET OR AGGREGATED WITH OTHER POSITIONS TAX POSITIONS THAT MEET THE "MORE LIKELY THAN NOT" RECOGNITION THRESHOLD ARE MEASURED AS THE LARGEST AMOUNT OF TAX BENEFIT THAT IS MORE THAN 50 PERCENT LIKELY TO BE REALIZED ON SETTLEMENT WITH THE APPLICABLE TAXING AUTHORITY THE PORTION OF THE BENEFITS ASSOCIATED WITH TAX POSITIONS TAKEN THAT EXCEEDS THE AMOUNT MEASURED AS DESCRIBED ABOVE IS REFLECTED AS A LIABILITY FOR UNCERTAIN TAX BENEFITS IN THE ACCOMPANYING BALANCE SHEETS ALONG WITH ANY ASSOCIATED INTEREST AND PENALTIES THAT WOULD BE PAYABLE TO THE TAXING AUTHORITIES UPON EXAMINATION NOTE 5 - INCOME TAX MATTERSACT HAS CERTAIN REVENUE FROM PROGRAMS AND SERVICES THAT IT DEEMS TO BE UNRELATED TO ITS TAX-EXEMPT PURPOSE AND, THEREFORE, MAY BE SUBJECT TO FEDERAL AND STATE INCOME TAX UNRELATED BUSINESS REVENUE FOR THE YEARS ENDED AUGUST 31, 2009 AND 2008 TOTALED $13,352,201 AND $13,586,890, RESPECTIVELY THE TAXABLE INCOME AND INCOME TAX LIABILITY FOR THE YEAR ENDED AUGUST 31, 2009 IS $216,602 AND $43,140, RESPECTIVELY THE TAXABLE INCOME AND INCOME TAX LIABILITY FOR THE YEAR ENDED AUGUST 31, 2008 IS $210,613 AND $26,000, RESPECTIVELY AS OF AUGUST 31, 2009 AND 2008, THERE WERE NO UNCERTAIN TAX BENEFITS IDENTIFIED AND RECORDED AS A LIABILITY FORMS 990 AND 990-T FILED BY ACT ARE SUBJECT TO EXAMINATION BY THE INTERNAL REVENUE SERVICE (IRS) UP TO THREE YEARS FROM THE EXTENDED DUE DATE OF EACH RETURN FORMS 990 AND 990-T FILED BY ACT ARE NO LONGER SUBJECT TO EXAMINATION FOR THE FISCAL YEARS ENDED AUGUST 31, 2005 AND PRIOR FORM 990 FILED BY NCEA AS OF AUGUST 31, 2009 AND 2008 COULD BE SUBJECT TO EXAMINATION

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SCHEDULE F (Form 990)

Department of the Treasury
Internal Revenue Service

Statement of Activities Outside the United States

▶ Attach to Form 990. Complete if the organization answered "Yes" to Form 990, Part IV, line 14b.

OMB No 1545-0047

2008

Open to Public Inspection

Name of the organization
ACT INC

Employer identification number
42-0841485

Part I **General Information on Activities Outside the United States.** Complete if the organization answered "Yes" to Form 990, Part IV, line 14b.

1 **For grantmakers.** Does the organization maintain records to substantiate the amount of the grants or assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance . . . . ☐ Yes ☐ No

2 **For grantmakers.** Describe in Part IV the organization's procedures for monitoring the use of grant funds outside the United States

3 Activites per Region (Use Schedule F-1 (Form 990) if additional space is needed)

(a) Region	**(b)** Number of offices in the region	**(c)** Number of employees or agents in region	**(d)** Activities conducted in region (by type) (i e , fundraising, program services, grants to recipients located in the region)	**(e)** If activity listed in (d) is a program service, describe specific type of service(s) in region	**(f)** Total expenditures in region
EAST ASIA AND THE PACIFIC			PROGRAM SERVICES	TESTING SERVICES	
EUROPE			PROGRAM SERVICES	TESTING SERVICES	207,885
NORTH AMERICA	1		PROGRAM SERVICES	TESTING SERVICES	511,962
Totals . . . . . ▶	1				719,847

Part II **Grants and Other Assistance to Organizations or Entities Outside the United States.** Complete if the organization answered "Yes" to Form 990, Part IV, line 15, for any recipient who received more than $5,000. Check this box if no one recipient received more than $5,000 . . . . ▶ ☐
Use Schedule F-1 if additional space is needed.

1 (a) Name of organization	(b) IRS code section and EIN (if applicable)	(c) Region	(d) Purpose of grant	(e) Amount of cash grant	(f) Manner of cash disbursement	(g) Amount of of non-cash assistance	(h) Description of non-cash assistance	(i) Method of valuation (book, FMV, appraisal, other)

2 Enter total number of organizations that are recognized as charities by the foreign country or for which the grantee or counsel has provided a section 501(c)(3) equivalency letter . . . . ▶

3 Enter total number of other organizations or entities . . . . ▶

Part III **Grants and Other Assistance to Individuals Outside the United States.** Complete if the organization answered "Yes" to Form 990, Part IV, line 16. Use Schedule F-1 (Form 990) if additional space is needed.

(a) Type of grant or assistance	**(b)** Region	**(c)** Number of recipients	**(d)** Amount of cash grant	**(e)** Manner of cash disbursement	**(f)** Amount of non-cash assistance	**(g)** Description of non-cash assistance	**(h)** Method of valuation (book, FMV, appraisal, other)

Part IV **Supplemental Information**

Complete this part to provide the information required in Part I, line 2, and any other additional information.

Identifier	ReturnReference	Explanation
		Schedule F, Part I, Line 3 THE FOREIGN EXPENDITURES REPORTED ON SCHEDULE F RELATE TO THE ADMINISTRATION OF ACT ASSESSMENTS INTERNATIONALLY ACT MAY HAVE OTHER FOREIGN EXPENDITURES IN THE REGIONS LISTED THAT SUPPORT THE PROGRAMS OF ACT'S FOREIGN SUBSIDIARIES THESE AMOUNTS ARE NOT SEPARATELY TRACKED AND ARE NOT REFLECTED IN THE AMOUNTS REPORTED

Additional Data

Return to Form

Software ID:
Software Version:
EIN: 42-0841485
Name: ACT INC

Form 990 Schedule F Part II - Grants and Other Assistance to Organizations or Entities Outside The United States

(a) Name of organization	(b) IRS code section and EIN(if applicable)	(c) Region	(d) Purpose of grant	(e) Amount of cash grant	(f) Manner of cash disbursement	(g) Amount of non-cash assistance	(h) Description of non-cash assistance	(i) Method of valuation (book, FMV, appraisal, other)

Schedule I (Form 990)

Department of the Treasury
Internal Revenue Service

Grants and Other Assistance to Organizations, Governments and Individuals in the U.S.

Complete if the organization answered "Yes," on Form 990, Part IV, lines 21 or 22. Attach to Form 990.

OMB No 1545-0047

2008

Open to Public Inspection

Name of the organization
ACT INC

Employer identification number
42-0841485

Part I General Information on Grants and Assistance

1 Does the organization maintain records to substantiate the amount of the grants or assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance? . . . ☑ Yes ☐ No

2 Describe in Part IV the organization's procedures for monitoring the use of grant funds in the United States

Part II Grants and Other Assistance to Governments and Organizations in the United States.

Complete if the organization answered "Yes" on Form 990, Part IV, line 21 for any recipient that received more than $5,000. Check this box if no one recipient received more than $5,000. Use Part IV and Schedule I-1 if additional space is needed . . . ▶ ☐

1(a) Name and address of organization or government	(b) EIN	(c) IRC section if applicable	(d) Amount of cash grant	(e) Amount of non-cash assistance	(f) Method of valuation (book, FMV, appraisal, other)	(g) Description of non-cash assistance	(h) Purpose of grant or assistance
NATIONAL CENTER FOR EDUCATIONAL ACHIEVEMENT4030-2 W BRAKER LN STE 200 AUSTIN,TX 78759	26-0778560	501(C)(3)	2,000,000		N/A	N/A	FOR USE IN GENERAL OPERATIONS
UNITED WAY OF JOHNSON COUNTY1150 5TH ST STE 290 CORALVILLE,IA 52241	42-6062055	501(C)(3)	58,402		N/A	N/A	UNRESTRICTED CONTRIBUTION
DIVERSITY FOCUS205 2ND AVE SE CEDAR RAPIDS,IA 52401	20-3420207	501(C)(3)	40,000		N/A	N/A	SPONSORSHIP
COMMUNITY FOUNDATION OF JOHNSON COUNTY325 E WASHINGTON ST IOWA CITY,IA 52240	42-1508117	501(C)(3)	25,000		N/A	N/A	UNRESTRICTED CONTRIBUTION
NATIONAL GOVERNORS ASSOCIATION444 N CAPITOL ST STE 267 WASHINGTON,DC 20001	23-7391796	501(C)(3)	20,000		N/A	N/A	CORPORATE FELLOWS PROGRAM ANNUAL CONTRIBUTION
THE EDUCATION TRUST INC1250 H ST STE 700 WASHINGTON,DC 20006	52-1982223	501(C)(3)	15,000		N/A	N/A	SPONSORSHIP OF CONFERENCE
KIRKWOOD COMMUNITY COLLEGE FOUNDATION 1030 5TH AVE SE STE 2700 CEDAR RAPIDS,IA 52403	23-7076632	501(C)(3)	12,500		N/A	N/A	TO SUPPORT WORKPLACE LEARNING CONNECTION
AMERICAN CANCER SOCIETY4080 1ST ST NE STE 101 CEDAR RAPIDS,IA 52402	13-1788491	501(C)(3)	11,000		N/A	N/A	$10,000 FOR ALL PROGRAMS, $1,000 FOR RELAY FOR LIFE
CAPITAL AREA INTERMEDIATE UNIT55 MILLER ST PO BOX 489 SUMMERDALE,PA 17093	23-1739071	170(C)(1)	10,000		N/A	N/A	SPONSOR HIGHER EDUCATION CONFERENCE
ENGLERT CIVIC THEATRE INC221 E WASHINGTON ST IOWA CITY,IA 52240	42-1508154	501(C)(3)	10,000		N/A	N/A	UNRESTRICTED CONTRIBUTION
CORALVILLE PUBLIC LIBRARY FOUNDATION 1401 5TH ST CORALVILLE,IA 52241	42-1476202	501(C)(3)	5,000		N/A	N/A	UNRESTRICTED CONTRIBUTION

2 Enter total number of section 501(c)(3) and government organizations . . . ▶ 11

3 Enter total number of other organizations . . . ▶

Part III **Grants and Other Assistance to Individuals in the United States.** Complete if the organization answered "Yes" on Form 990, Part IV, line 22. Use Schedule I-1 (Form 990) if additional space is needed.

(a) Type of grant or assistance	**(b)** Number of recipients	**(c)** Amount of cash grant	**(d)** Amount of non-cash assistance	**(e)** Method of valuation (book, FMV, appraisal, other)	**(f)** Description of non-cash assistance

Part IV **Supplemental Information.** Complete this part to provide the information required in Part I, line 2, and any other additional information.

See Additional Data Table

Identifier	**Return Reference**	**Explanation**
		Schedule I, Part I, Line 1 ALL GRANTS AND CONTRIBUTIONS ARE REVIEWED AND APPROVED BY THE CEO PRIOR TO PAYMENT MONTHLY FINANCIALS ARE PREPARED BY NCEA AND SENT TO ACT FOR REVIEW TOM GOEDKEN, ACT CFO, REVIEWS THE INCOME STATEMENT EACH MONTH AND DISCUSSES IT WITH ROXANA GALAN, NCEA CFO IN ADDITION, MR GOEDKEN ALSO LOOKS AT NCEA'S BALANCE SHEET ON A QUARTERLY BASIS IN ADDITION TO MR GOEDKEN'S REVIEW, CYNTHIA SCHMEISER, ACT COO, REVIEWS NCEA OPERATIONS AS ONE OF ACT'S PROJECTS THIS ENTAILS REVIEWING MONTHLY FINANCIALS AND DISCUSSIONS WITH ANGELA HALL WATKINS, NCEA MANAGING DIRECTOR

Schedule J
(Form 990)

Department of the Treasury
Internal Revenue Service

Compensation Information

For certain Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees
▶ Attach to Form 990. To be completed by organizations that answered "Yes" to Form 990, Part IV, line 23.

OMB No 1545-0047

2008

Open to Public Inspection

Name of the organization
ACT INC

Employer identification number
42-0841485

Part I Questions Regarding Compensation

			Yes	No
1a	Check the appropiate box(es) if the organization provided any of the following to or for a person listed in Form 990, Part VII, Section A, line 1a Complete Part III to provide any relevant information regarding these items ☐ First class or charter travel ☑ Travel for companions ☐ Tax idemnification and gross-up payments ☐ Discretionary spending account ☑ Housing allowance or residence for personal use ☐ Payments for business use of personal residence ☑ Health or social club dues or initiation fees ☐ Personal services (e g , maid, chauffeur, chef)			
b	If line 1a is checked, did the organization follow a written policy regarding payment or reimbursement or provision of all the expenses described above? If "No," complete Part III to explain	**1b**	Yes	
2	Did the organization require substantiation prior to reimbursing or allowing expenses incurred by all officers, directors, trustees, and the CEO /Executive Director, regarding the items checked in line 1a?	**2**	Yes	
3	Indicate which, if any, of the following the organization uses to establish the compensation of the organization's CEO /Executive Director Check all that apply ☑ Compensation committee ☑ Independent compensation consultant ☑ Form 990 of other organizations ☐ Written employment contract ☑ Compensation survey or study ☑ Approval by the board or compensation committee			
4	During the year, did any person listed in Form 990, Part VII, Section A, line 1a			
a	Receive a severance payment or change of control payment?	**4a**		No
b	Participate in, or receive payment from, a supplemental nonqualified retirement plan?	**4b**	Yes	
c	Participate in, or receive payment from, an equity-based compensation arrangement?	**4c**		No
	If "Yes" to any of lines 4a-c, list the persons and provide the applicable amounts for each item in Part III			
	501(c)(3) and 501(c)(4) organizations only must complete lines 5-8.			
5	For persons listed in form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the revenues of			
a	The organization?	**5a**		No
b	Any related organization?	**5b**		No
	If "Yes," to line 5a or 5b, describe in Part III			
6	For persons listed in form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the net earnings of			
a	The organization?	**6a**		No
b	Any related organization?	**6b**		No
	If "Yes," to line 6a or 6b, describe in Part III			
7	For persons listed in form 990, Part VII, Section A, line 1a, did the organization provide any non-fixed payments not described in lines 5 and 6? If "Yes," describe in Part III	**7**		No
8	Were any amounts reported in Form 990, Part VII, paid or accured pursuant to a contract that was subject to the initial contract exception described in Regs section 53 4958-4(a)(3)? If "Yes," describe in Part III	**8**		No

Part II **Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees.** Use Schedule J-1 if additional space needed.

For each individual whose compensation must be reported in Schedule J, report compensation from the organization on row (i) and from related organizations described in the instructions on row (ii) Do not list any individuals that are not listed on Form 990, Part VII

Note. The sum of columns (B)(i)-(iii) must equal the applicable column (D) or column (E) amounts on Form 990, Part VII, line 1a

(A) Name		**(B)** Breakdown of W-2 and/or 1099-MISC compensation			**(C)** Deferred compensation	**(D)** Nontaxable benefits	**(E)** Total of columns (B)(i)-(D)	**(F)** Compensation reported in prior Form 990 or Form 990-EZ
		(i) Base compensation	**(ii)** Bonus & incentive compensation	**(iii)** Other compensation				
RICHARD L FERGUSON	(i)	543,885	25,000	81,063	78,800	5,835	734,583	
	(ii)							
THOMAS GOEDKEN	(i)	254,571	10,000	1,903	28,638	12,024	307,136	
	(ii)							
CYNTHIA SCHMEISER	(i)	291,960	15,000	14,850	96,865	16,786	435,461	
	(ii)							
MARTIN L SCAGLIONE	(i)	261,852	10,000	1,918	24,300	13,339	311,409	
	(ii)							
ARTHUR C PETERS	(i)	188,728	7,500	430	23,245	13,834	233,737	
	(ii)							
ANN YORK	(i)	208,904	7,500	2,113	33,982	8,435	260,934	
	(ii)							
THOMAS SATERFIEL	(i)	202,888	7,500	1,843	51,060	13,890	277,181	
	(ii)							
JON ERICKSON	(i)	195,507	10,000	2,758	53,101	10,663	272,029	
	(ii)							
ROSE RENNEKAMP	(i)	190,921	7,500	1,237	38,832	12,396	250,886	
	(ii)							
DOUGLAS BECKER	(i)	181,864	7,500	913	22,488	16,765	229,530	
	(ii)							
BO WANG	(i)	165,769	5,000	12,787	20,688	5,734	209,978	
	(ii)							
	(ii)							
	(i)							
	(ii)							
	(i)							
	(ii)							

Part III Supplemental Information

Complete this part to provide the information, explanation, or descriptions required for Part I, lines 1a, 1b, 4c, 5a, 5b, 6a, 6b, 7, and 8 Also complete this part for any additional information

Identifier	Return Reference	Explanation
		Part I, Line 1a THOMAS GOEDKEN, CYNTHIA SCHMEISER, JON ERICKSON, AND MARTIN SCAGLIONE RECEIVED AMOUNTS FOR SPOUSAL TRAVEL THESE AMOUNTS ARE TAXABLE TO THE EMPLOYEE AND ARE REFLECTED IN REPORTABLE COMPENSATION ON SCHEDULE J, PART II, COLUMN B (III) BO WANG RECEIVED AN AMOUNT FOR A HOUSING ALLOWANCE THIS AMOUNT IS TAXABLE TO THE EMPLOYEE AND IS REFLECTED IN REPORTABLE COMPENSATION ON SCHEDULE J, PART II, COLUMN B(III) RICHARD FERGUSON, CYNTHIA SCHMEISER, THOMAS SATERFIEL, JON ERICKSON, MARTIN SCAGLIONE, AND DOUGLAS BECKER RECEIVED AMOUNTS FOR HEALTH OR SOCIAL CLUB DUES THESE AMOUNTS ARE TAXABLE TO THE EMPLOYEE AND ARE REFLECTED IN REPORTABLE COMPENSATION ON SCHEDULE J, PART II, COLUMN B(III) PART II, COLUMN B(III) REPORTABLE OTHER COMPENSATION FOR RICHARD FERGUSON INCLUDES A DISTRIBUTION OF DEFERRED COMPENSATION UNDER IRC SECTION 457(F) IN THE AMOUNT OF $62,922

Additional Data

Return to Form

Software ID:
Software Version:
EIN: 42-0841485
Name: ACT INC

Form 990, Schedule J, Part II - Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

(A) Name		(B) Breakdown of W-2 and/or 1099-MISC compensation (i) Base Compensation	(ii) Bonus & incentive compensation	(iii) Other compensation	(C) Deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation reported in prior Form 990 or Form 990-EZ
RICHARD L FERGUSON	(i) (ii)	543,885	25,000	81,063	78,800	5,835	734,583	
THOMAS GOEDKEN	(i) (ii)	254,571	10,000	1,903	28,638	12,024	307,136	
CYNTHIA SCHMEISER	(i) (ii)	291,960	15,000	14,850	96,865	16,786	435,461	
MARTIN L SCAGLIONE	(i) (ii)	261,852	10,000	1,918	24,300	13,339	311,409	
ARTHUR C PETERS	(i) (ii)	188,728	7,500	430	23,245	13,834	233,737	
ANN YORK	(i) (ii)	208,904	7,500	2,113	33,982	8,435	260,934	
THOMAS SATERFIEL	(i) (ii)	202,888	7,500	1,843	51,060	13,890	277,181	
JON ERICKSON	(i) (ii)	195,507	10,000	2,758	53,101	10,663	272,029	
ROSE RENNEKAMP	(i) (ii)	190,921	7,500	1,237	38,832	12,396	250,886	
DOUGLAS BECKER	(i) (ii)	181,864	7,500	913	22,488	16,765	229,530	
BO WANG	(i) (ii)	165,769	5,000	12,787	20,688	5,734	209,978	

Schedule L
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Transactions with Interested Persons

▶ Attach to Form 990 or Form 990-EZ.
▶ To be completed by organizations that answered "Yes" on Form 990, Part IV, lines 25a, 25b, 26, 27, 28a, 28b, or 28c, or Form 990-EZ, Part V lines 38b or 40b.

OMB No 1545-0047

2008

Open to Public Inspection

Name of the organization
ACT INC

Employer identification number
42-0841485

Part I Excess Benefit Transactions (section 501(c)(3) and section 501 (c)(4) organizations only).

To be completed by organizations that answered "Yes" on Form 990, Part IV, line 25a or 25b, or Form 990-EZ, Part V, line 40b

1 (a) Name of disqualified person	(b) Description of transaction	(c) Corrected? Yes	No

2 Enter the amount of tax imposed on the organization managers or disqualified persons during the year under section 4958 . . . . ▶ $

3 Enter the amount of tax, if any, on line 2, above, reimbursed by the organization . . . . ▶ $

Part II Loans to and/or From Interested Persons

To be completed by organizations that answered "Yes" on Form 990, Part IV, line 26, or Form 990-EZ, Part V, line 38a

(a) Name of interested person and purpose	(b) Loan to or from the organization? To	From	(c) Original principal amount	(d) Balance due	(e) In default? Yes	No	(f) Approved by board or committee? Yes	No	(g) Written agreement? Yes	No
Total . . . . ▶ $										

Part III Grants or Assistance Benefitting Interested Persons

To be completed by organizations that answered "Yes" on Form 990, Part IV, line 27.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of grant or type of assistance

Part IV Business Transactions Involving Interested Persons

To be completed by organizations that answered "Yes" on Form 990, Part IV, line 28a, 28b, or 28c.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of transaction	(d) Description of transaction	(e) Sharing of organization's revenues? Yes	No
NCEA	SEE SCH O	4,198,838	SEE SCH O		No

SCHEDULE O (Form 990)

Department of the Treasury Internal Revenue Service

Supplemental Information to Form 990

▶ Attach to Form 990. To be completed by organizations to provide additional information for responses to specific questions for the Form 990 or to provide any additional information.

OMB No 1545-0047

2008

Open to Public Inspection

Name of the organization	Employer identification number
ACT INC	42-0841485

Identifier	Return Reference	Explanation
Form 990, Part VI, Section A, line 2		SOME OFFICERS AND DIRECTORS HAVE A BUSINESS RELATIONSHIP WITH OTHER OFFICERS AND DIRECTORS TO THE EXTENT THAT THEY ALSO SERVE TOGETHER ON THE BOARDS OFOTHER ENTITIES (1) RICHARD FERGUSON AND THOMAS GOEDKEN ARE DIRECTORS OF ACT INTERNATIONAL B V (2) RICHARD FERGUSON AND THOMAS GOEDKEN ARE DIRECTORS OF ACT EDUCATION SOLUTIONS LTD (HONG KONG) (3) RICHARD FERGUSON AND THOMAS GOEDKEN ARE DIRECTORS OF ACT EDUCATION SOLUTIONS (AUSTRALIA) PTY LTD (4) RICHARD FERGUSON AND THOMAS GOEDKEN ARE DIRECTORS OF ACT INFORMATION CONSULTING (SHANGHAI) CO LTD (5) RICHARD FERGUSON AND THOMAS GOEDKEN ARE DIRECTORS OFACT BUSINESS SOLUTIONS B V (6) RICHARD FERGUSON, THOMAS GOEDKEN, CHARLES REED, AND ROBERTS JONES ARE DIRECTORS AND/OR OFFICERS OF NATIONAL CENTER FOR EDUCATIONAL ACHIEVEMENT (NCEA) (7) RICHARD FERGUSON, THOMAS GOEDKEN, AND J THEODORE SANDERS ARE DIRECTORS OF TEACHERS SUPPORT NETWORK (TSN)

Identifier	Return Reference	Explanation
Form 990, Part VI, Section A, line 4		THERE WERE NO SIGNIFICANT CHANGES TO THE ORGANIZATION'S ARTICLES OF INCORPORATION DURING THE YEAR SIGNIFICANT CHANGES TO THE BYLAWS APPROVED BY THE BOARD DURING THE YEAR ARE AS FOLLOWS (1) THE WAY BOARD OFFICERS ARE SELECTED WAS CHANGED PREVIOUSLY, THE BOARD ELECTED THE BOARD OFFICERS THE AMENDMENTADDED LANGUAGE STATING THAT THE BOARD CHAIR WOULD APPOINT TWO OTHER BOARD MEMBERS, NEITHER OF WHOM IS A BOARD OFFICER, TO SERVE WITH THE CHAIR AS A NOMINATING COMMITTEE FOR BOARD OFFICERS FOR THE COMING YEAR THE FULL BOARD OF DIRECTORS STILL ELECTS THE OFFICERS ONCE THEY ARE NOMINATED BY THE THREE-PERSON NOMINATING COMMITTEE (2) THE STANDING COMMITTEES OF THE BOARD INCREASEDFROM THREE (CORPORATE DEVELOPMENT, AUDIT AND FINANCE, AND PERSONNEL) TO FOUR (AUDIT, CORPORATE DEVELOPMENT AND FINANCE, INVESTMENT, AND PERSONNEL) (3)THE LEAD DIRECTOR WAS NAMED AS AN OFFICER OF THE CORPORATION (4) LANGUAGE WAS ADDED TO OFFICIALLY REQUIRE THE BOARD TO FOLLOW POLICIES ALREADY IN PRACTICE STATING THAT COMPENSATION FOR THE CEO AND DIRECTORS WILL BE DETERMINED WITH DUE CONSIDERATION FOR THE COMPENSATION RECEIVED BY MEMBERS OF COMPARABLE ORGANIZATIONS AND THAT SUCH INFORMATION SHALL BE OBTAINED THROUGH PUBLISHED OR BOARD COMMISSIONED COMPENSATION SURVEYS

Identifier	Return Reference	Explanation
Form 990, Part VI, Section A, line 10		PROCEDURES FOR REVIEW OF FORM 990 THE AUDIT COMMITTEE OF THE CORPORATION CONDUCTS A SUBSTANTIVE REVIEW OF THE FORM 990 PRIOR TO ITS FILING WITH THE ASSISTANCE OF THE CORPORATION'S CHIEF FINANCIAL OFFICER, COUNSEL, AND STAFF THE FINAL VERSION OF THE FORM 990 IS PROVIDED TO ALL OF THE MEMBERS OF THE CORPORATION'S BOARD OF DIRECTORS BEFORE IT IS FILED WITH THE IRS

Identifier	Return Reference	Explanation
Form 990, Part VI, Section B, line 12c		ACT HAS CREATED AN ETHICS ADVISORY COMMITTEE MEMBERS OF THE ETHICS ADVISORY COMMITTEE REVIEW CONFLICT OF INTEREST QUESTIONNAIRES SUBMITTED BY EMPLOYEES AND ARE RESPONSIBLE FOR SEEING THAT CONFLICTS OF INTEREST ARE INVESTIGATEDAND APPROPRIATELY ADDRESSED THEY ALSO WORK CLOSELY WITH ACT'S HUMAN RESOURCES DEPARTMENT TO DEVELOP EDUCATION AND TRAINING PROGRAMS FOR EMPLOYEES REGARDING THE CONFLICTS OF INTEREST POLICY AND ETHICS ISSUES THE ETHICS ADVISORY COMMITTEE REPORTS DIRECTLY TO THE AUDIT COMMITTEE OF ACT'S BOARD OF DIRECTORS CONFLICT OF INTEREST QUESTIONNAIRES SUBMITTED BY DIRECTORS OR OFFICERS ARE REVIEWED AND ADDRESSED BY THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS

Identifier	Return Reference	Explanation
Form 990, Part VI, Section B, line 15		COMPENSATION OF OFFICERS AND DIRECTORS IS DETERMINED BY THE BOARD BASED UPON AN INDEPENDENT COMPENSATION STUDY CONDUCTED BY A PROFESSIONAL FIRM COMPENSATION OF KEY EMPLOYEES IS INFORMED BY THE SAME STUDY AND IS ESTABLISHED BY THE BOARD ANNUALLY ALL OTHER EMPLOYEE COMPENSATION IS REVIEWED AT LEAST ANNUALLY, UNDER THE DIRECTION OF THE HUMAN RESOURCE DEPARTMENT

Identifier	Return Reference	Explanation
Form 990, Part VI, Section C, line 19		ACT DOES NOT MAKE ITS GOVERNING DOCUMENTS, CONFLICT OF INTEREST POLICY, ANDFINANCIAL STATEMENTS AVAILABLE TO THE PUBLIC

Identifier	Return Reference	Explanation
FORM 990, PART VII, SECTION A		PER ACT POLICY, BOARD MEMBERS ARE EXPECTED TO PARTICIPATE IN FOUR THREE-DAYBOARD MEETINGS, COMMITTEE MEETINGS THAT OCCUR THROUGHOUT THE YEAR, AND AT OTHER TIMES TO DISCUSS IMPORTANT AND STRATEGIC MATTERS PERTAINING TO ACT IN EXCHANGE FOR THEIR VALUABLE TIME AND SERVICE, ACT COMPENSATES THE BOARD WITHAN ANNUAL AMOUNT THAT IS PRORATED FOR MEETING ATTENDANCE AND PARTIAL YEARS OF SERVICE THE LEAD DIRECTOR AND COMMITTEE CHAIRS, AS WELL AS BOARD MEMBERSWHO ARE REQUESTED TO PROVIDE TIME OTHER THAN FOR MEETING ATTENDANCE, RECEIVE ADDITIONAL COMPENSATION AT A COMMENSURATE HOURLY RATE IN ADDITION TO SERVING AS CHAIRMAN OF THE BOARD, RICHARD FERGUSON ALSO SERVED AS CEO OF ACT HIS COMPENSATION AS CEO IS DISCLOSED ON FORM 990, PART VII, SECTION A HE RECEIVES NO ADDITIONAL COMPENSATION FOR SERVICE AS BOARD CHAIR SOME BOARD MEMBERS HAVE CHOSEN TO FORGO COMPENSATION FOR THEIR SERVICES TO ACT

Identifier	Return Reference	Explanation
FORM 990, PART VII, SECTION A AND SCHEDULE J	ACTUARIAL INCREASE IN EARLY RETIREMENT BENEFIT	THE ORGANIZATION MAINTAINS A LEGACY EARLY RETIREMENT PLAN THAT HAS BEEN CLOSED TO NEW ENTRANTS FORM 990, PART VII, SECTION A, COLUMN (F), "OTHER COMPENSATION" AND SCHEDULE J, PART II, COLUMN (C), "DEFERRED COMPENSATION" INCLUDES THE INCREASE IN ACTUARIAL VALUE THAT HAS OCCURRED TO AN INDIVIDUAL'S VESTED BALANCE DURING THE YEAR ENDED AUGUST 31, 2009 DEPENDING ON THE INDIVIDUAL'S AGE AT DATE OF RETIREMENT, THE ACTUAL EARLY RETIREMENT BENEFIT DISTRIBUTED AT THE TIME OF RETIREMENT MAY BE LESS THAN THE AMOUNT THAT IS CURRENTLY BEING INCLUDED IN OTHER/DEFERRED COMPENSATION

Identifier	Return Reference	Explanation
FORM 990, PART IV, LINE 12 AND PART XI, LINES 2B AND 2C	AUDITED FINANCIAL STATEMENTS	ALTHOUGH THE ORGANIZATION DOES NOT RECEIVE STAND ALONE GAAP FINANCIAL STATEMENTS, ACT DOES RECEIVE ON AN ANNUAL BASIS FROM INDEPENDENT AUDITORS CONSOLIDATED ENTITY GAAP FINANCIAL STATEMENTS FOR ACT AND ITS CONSOLIDATED ENTITIES THE ORGANIZATION'S AUDIT COMMITTEE ASSUMES RESPONSIBILITY FOR OVERSIGHT OFTHE AUDIT OF ITS FINANCIAL STATEMENTS AND SELECTION OF AN INDEPENDENT ACCOUNTANT

Identifier	Return Reference	Explanation
FORM 990, PART I, LINE 6	EXPLANATION OF ESTIMATE OF VOLUNTEERS	APPROXIMATELY 7 TO 8 THOUSAND REPRESENTATIVES FROM EDUCATIONAL INSTITUTIONSARE MEMBERS OF ACT'S ADVISORY GROUPS THAT RECEIVE INFORMATION FROM ACT AND PROVIDE INPUT OUT OF THIS GROUP, THERE ARE APPROXIMATELY 800 INDIVIDUALS WHO ACTIVELY VOLUNTEER THEIR TIME TO SERVE IN AN ADVISORY CAPACITY BY ATTENDING MEETINGS WITH ACT REGIONAL OFFICE STAFF TO PROVIDE INPUT

Identifier	Return Reference	Explanation
FORM 990, SCH L, PART IV	EXPLANATION REGARDING NATIONAL CENTER FOR EDUCATIONAL ACHIEVEMENT (NCEA)	(B) RELATIONSHIP BETWEEN INTERESTED PERSON AND THE ORGANIZATION ENTITY WITH GOVERNING BODY AND/OR OFFICERS INCLUDING (1) RICHARD FERGUSON, CEO/CHAIRMAN, (2) THOMAS GOEDKEN, CFO, (3) CHARLES REED, DIRECTOR, AND (4) ROBERTS JONES, DIRECTOR (D) DESCRIPTION OF TRANSACTION NCEA PAID ACT $4,198,838 FOR SALARIES, BENEFITS, AND PAYROLL TAXES OF EMPLOYEES PROVIDING SERVICES TO NCEA THAT ARE LEASED FROM ACT

SCHEDULE R (Form 990)

Department of the Treasury
Internal Revenue Service

Related Organizations and Unrelated Partnerships

▶ Attach to Form 990. To be completed by organizations that answerd "Yes" to Form 990, Part IV, lines 33, 34, 35, 36, or 37.
▶ See separate instructions.

OMB No 1545-0047

2008

Open to Public Inspection

Name of the organization
ACT INC

Employer identification number
42-0841485

Part I Identification of Disregarded Entities

(A) Name, address, and EIN of disregarded entity	(B) Primary activity	(C) Legal domicile (state or foreign country)	(D) Total income	(E) End-of-year assets	(F) Direct controlling entity

Part II Identification of Related Tax-Exempt Organizations

(A) Name, address, and EIN of related organization	(B) Primary activity	(C) Legal domicile (state or foreign country)	(D) Exempt Code section	(E) Public charity status (if section 501(c)(3))	(F) Direct controlling entity
NATIONAL CENTER FOR EDUCATIONAL ACHIEVEMENT 4030-2 WEST BRAKER LANE NO 200 AUSTIN, TX78759 26-0778560	EDUCATIONAL RESEARCH	TX	501(C)(3)	9	N/A

Part III Identification of Related Organizations Taxable as a Partnership

(A) Name, address, and EIN of related organization	(B) Primary activity	(C) Legal domicile (state or foreign country)	(D) Direct controlling entity	(E) Predominant income(related, investment, unrelated)	(F) Share of total income	(G) Share of end-of-year assets	(H) Disproprtionate allocations?		(I) Code V—UBI amount on Box 20 of K-1	(J) General or managing partner?	
							Yes	No		Yes	No

Part IV Identification of Related Organizations Taxable as a Corporation or Trust

(A) Name, address, and EIN of related organization	(B) Primary activity	(C) Legal domicile (state or foreign country)	(D) Direct controlling entity	(E) Type of entity (C corp, S corp, or trust)	(F) Share of total income	(G) Share of end-of-year assets	(H) Percentage ownership
ACT EDUCATION SOLUTIONS LTD (HONG KONG) ROOM 2503 BANK OF AMERICA TOWER HONG KONG HK	TESTING SERVICES	HK	ACT INTERNATIONAL BV	C	-218,683	2,576,378	100 000 %
ACT INTERNATIONAL BV NARITAWEG 165 1043 BW AMSTERDAM NL	HOLDING COMPANY	NL	N/A	C	-27,772	1,096,315	100 000 %
ACT BUSINESS SOLUTIONS BV NARITAWEG 165 1043 BW AMSTERDAM NL	HOLDING COMPANY	NL	ACT INTERNATIONAL BV	C	-627,257	251,741	100 000 %
ACT EDUCATION SOLUTIONS (AUSTRALIA) PTY LTD LEVEL 7 54 MILLER ST NORTH SYDNEY NSW AS	TESTING SERVICES	AS	ACT EDUCATION SOLUTIONS LTD (HONG KONG)	C	30,828	855,741	100 000 %
ACT EDUCATION SOLUTIONS (KOREA) INC 20F KOREA FIRST BANK BLDG 100 GONGP SEOUL KS	TESTING SERVICES	KS	ACT EDUCATION SOLUTIONS LTD (HONG KONG)	C	-103,537	47,726	100 000 %
ACT INFORMATION CONSULTING (SHANGHAI) CO LTD ROOM 1204 TIAN AN CTR 338 NANJING W SHANGHAI CH	TESTING SERVICES	CH	ACT EDUCATION SOLUTIONS LTD (HONG KONG)	C	312,231	665,408	100 000 %

Part V **Transactions with Related Organizations**

		Yes	No
Note. Complete line 1 if any entity is listed in Parts II, III or IV			
1 During the tax year, did the orgranization engage in any of the following transactions with one or more related organizations listed in Parts II-IV?			
a Receipt of **(i)** interest **(ii)** annuities **(iii)** royalties **(iv)** rent from a controlled entity	**1a**	Yes	
b Gift, grant, or capital contribution to other organization(s)	**1b**	Yes	
c Gift, grant, or capital contribution from other organization(s)	**1c**		No
d Loans or loan guarantees to or for other organization(s)	**1d**		No
e Loans or loan guarantees by other organization(s)	**1e**		No
f Sale of assets to other organization(s)	**1f**		No
g Purchase of assets from other organization(s)	**1g**		No
h Exchange of assets	**1h**		No
i Lease of facilities, equipment, or other assets to other organization(s)	**1i**		No
j Lease of facilities, equipment, or other assets from other organization(s)	**1j**		No
k Performance of services or membership or fundraising solicitations for other organization(s)	**1k**	Yes	
l Performance of services or membership or fundraising solicitations by other organization(s)	**1l**		No
m Sharing of facilities, equipment, mailing lists, or other assets	**1m**		No
n Sharing of paid employees	**1n**	Yes	
o Reimbursement paid to other organization for expenses	**1o**		No
p Reimbursement paid by other organization for expenses	**1p**	Yes	
q Other transfer of cash or property to other organization(s)	**1q**		No
r Other transfer of cash or property from other organization(s)	**1r**		No

2 If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds

	(A) Name of other organization(s)	**(B)** Transaction type(a-r)	**(C)** Amount Involved
(1)	ACT INTERNATIONAL BV	A	8,960
(2)	NATIONAL CENTER FOR EDUCATIONAL ACHIEVEMENT	B	2,000,000
(3)	ACT EDUCATION SOLUTIONS LTD (HONG KONG)	B	492,796
(4)	ACT BUSINESS SOLUTIONS BV	B	613,730
(5)	NATIONAL CENTER FOR EDUCATIONAL ACHIEVEMENT	N	4,198,838
(6)			

Part VI **Unrelated Organizations Taxable as a Partnership**

Provide the following information for each entity taxed as a partnership through which the organization conducted more than five percent of its activities (measured by total assets or gross revenue) that was not a related organization See instructions regarding exclusion for certain investment partnerships

(A) Name, address, and EIN of entity	(B) Primary activity	(C) Legal domicile (state or foreign country)	(D) Are all partners section 501(c)(3) organizations?		(E) Share of end-of-year assets	(F) Disproprtionate allocations?		(G) Code V—UBI amount on Box 20 of K-1	(H) General or managing partner?	
			Yes	No		Yes	No		Yes	No

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Form **4562**

Department of the Treasury
Internal Revenue Service

Depreciation and Amortization
(Including Information on Listed Property)

▶ See separate instructions. ▶ Attach to your tax return.

OMB No 1545-0172

2008

Attachment Sequence No **67**

Name(s) shown on return	Business or activity to which this form relates	Identifying number
ACT INC	Form 990 Page 10	42-0841485

Part I **Election To Expense Certain Property Under Section 179**
Note: *If you have any listed property, complete Part V before you complete Part I.*

1 Maximum amount See the instructions for a higher limit for certain businesses	1	250,000
2 Total cost of section 179 property placed in service (see instructions)	2	
3 Threshold cost of section 179 property before reduction in limitation (see instructions)	3	800,000
4 Reduction in limitation Subtract line 3 from line 2 If zero or less, enter -0-	4	
5 Dollar limitation for tax year Subtract line 4 from line 1 If zero or less, enter -0- If married filing separately, see instructions	5	

	(a) Description of property	**(b)** Cost (business use only)	**(c)** Elected cost
6			

7 Listed property Enter the amount from line 29	7	
8 Total elected cost of section 179 property Add amounts in column (c), lines 6 and 7	8	
9 Tentative deduction Enter the **smaller** of line 5 or line 8	9	
10 Carryover of disallowed deduction from line 13 of your 2007 Form 4562	10	
11 Business income limitation Enter the smaller of business income (not less than zero) or line 5 (see instructions)	11	
12 Section 179 expense deduction Add lines 9 and 10, but do not enter more than line 11	12	
13 Carryover of disallowed deduction to 2009 Add lines 9 and 10, less line 12 ▶	13	

Note: *Do not use Part II or Part III below for listed property. Instead, use Part V.*

Part II **Special Depreciation Allowance and Other Depreciation (Do not** include listed property **)** (See instructions)

14 Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)	14	
15 Property subject to section 168(f)(1) election	15	
16 Other depreciation (including ACRS)	16	

Part III **MACRS Depreciation (Do not** include listed property.**)** (See instructions.)

Section A

17 MACRS deductions for assets placed in service in tax years beginning before 2008	17	8,438,101
18 If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here ▶☐		

Section B—Assets Placed in Service During 2008 Tax Year Using the General Depreciation System

(a) Classification of property	**(b)** Month and year placed in service	**(c)** Basis for depreciation (business/investment use only—see instructions)	**(d)** Recovery period	**(e)** Convention	**(f)** Method	**(g)** Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g 25-year property			25 yrs		S/L	
h Residential rental property			27 5 yrs	MM	S/L	
			27 5 yrs	MM	S/L	
i Nonresidential real property			39 yrs	MM	S/L	
				MM	S/L	

Section C—Assets Placed in Service During 2008 Tax Year Using the Alternative Depreciation System

20a Class life					S/L	
b 12-year			12 yrs		S/L	
c 40-year			40 yrs	MM	S/L	

Part IV **Summary** (See instructions)

21 Listed property Enter amount from line 28	21	
22 **Total.** Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21 Enter here and on the appropriate lines of your return Partnerships and S corporations—see instr	22	8,438,101
23 For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

Part V **Listed Property** (Include automobiles, certain other vehicles, cellular telephones, certain computers, and property used for entertainment, recreation, or amusement.)
Note: *For any vehicle for which you are using the standard mileage rate or deducting lease expense, complete **only** 24a, 24b, columns (a) through (c) of Section A, all of Section B, and Section C if applicable.*

Section A—Depreciation and Other Information (Caution: *See the instructions for limits for passenger automobiles.***)**

24a Do you have evidence to support the business/investment use claimed? Yes No | **24b** If "Yes," is the evidence written? Yes No

(a) Type of property (list vehicles first)	(b) Date placed in service	(c) Business/ investment use percentage	(d) Cost or other basis	(e) Basis for depreciation (business/investment use only)	(f) Recovery period	(g) Method/ Convention	(h) Depreciation/ deduction	(i) Elected section 179 cost
25 Special depreciation allowance for qualified listed property placed in service during the tax year and used more than 50% in a qualified business use (see instructions)						25		
26 Property used more than 50% in a qualified business use								
		%						
		%						
		%						
27 Property used 50% or less in a qualified business use								
		%				S/L -		
		%				S/L -		
		%				S/L -		

28 Add amounts in column (h), lines 25 through 27 Enter here and on line 21, page 1 . **28**

29 Add amounts in column (i), line 26 Enter here and on line 7, page 1 . . . . **29**

Section B—Information on Use of Vehicles

Complete this section for vehicles used by a sole proprietor, partner, or other "more than 5% owner," or related person
If you provided vehicles to your employees, first answer the questions in Section C to see if you meet an exception to completing this section for those vehicles

	(a) Vehicle 1		(b) Vehicle 2		(c) Vehicle 3		(d) Vehicle 4		(e) Vehicle 5		(f) Vehicle 6	
30 Total business/investment miles driven during the year (**do not** include commuting miles) . .												
31 Total commuting miles driven during the year .												
32 Total other personal(noncommuting) miles driven												
33 Total miles driven during the year Add lines 30 through 32												
34 Was the vehicle available for personal use	**Yes**	**No**	**Yes**	**No**	**Yes**	**No**	**Yes**	**No**	**Yes**	**No**	**Yes**	**No**
during off-duty hours?												
35 Was the vehicle used primarily by a more than 5% owner or related person?												
36 Is another vehicle available for personal use? .												

Section C—Questions for Employers Who Provide Vehicles for Use by Their Employees

Answer these questions to determine if you meet an exception to completing Section B for vehicles used by employees who **are not** more than 5% owners or related persons (see instructions)

	Yes	No
37 Do you maintain a written policy statement that prohibits all personal use of vehicles, including commuting, by your employees?		
38 Do you maintain a written policy statement that prohibits personal use of vehicles, except commuting, by your employees? See the instructions for vehicles used by corporate officers, directors, or 1% or more owners		
39 Do you treat all use of vehicles by employees as personal use?		
40 Do you provide more than five vehicles to your employees, obtain information from your employees about the use of the vehicles, and retain the information received?		
41 Do you meet the requirements concerning qualified automobile demonstration use? (See instructions)		
Note: If your answer to 37, 38, 39, 40, or 41 is "Yes," do not complete Section B for the covered vehicles		

Part VI **Amortization**

(a) Description of costs	(b) Date amortization begins	(c) Amortizable amount	(d) Code section	(e) Amortization period or percentage	(f) Amortization for this year
42 Amortization of costs that begins during your 2008 tax year (see instructions)					
43 Amortization of costs that began before your 2008 tax year				43	7,201,008
44 **Total.** Add amounts in column (f) See the instructions for where to report . .				44	7,201,008

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Form **8858** (Rev December 2008)

Department of the Treasury
Internal Revenue Service

Information Return of U.S. Persons With Respect To Foreign Disregarded Entities

▶ **See separate instructions.**

Information furnished for the foreign disregarded entity's annual accounting period (see instructions) beginning 09-01-2008 , and ending 08-31-2009

OMB No 1545-1910

Attachment Sequence No **140**

Name of person filing this return
ACT INC

Filer's identifying number
42-0841485

Number, street, and room or suite no (or P O box number if mail is not delivered to street address)
PO BOX 168

City or town, state, and ZIP code
IOWA CITY, IA, 522430168

Filer's tax year beginning 2008-09-01 , and ending 2009-08-31

Important: *Fill in all applicable lines and schedules. All information **must** be in English. All amounts **must** be stated in U.S. dollars unless otherwise indicated.*

1a Name and address of foreign disregarded entity
ACT BUSINESS SOLUTIONS SUCURSAL ESPPLAZA MORENO EDIFICIO ALREDO MAHOU
MADRID 28020
SP

b U S identifying number, if any

c Country(ies) under whose laws organized and entity type under local tax law
SP
NATURAL BRANCH

d Date(s) of organization
2005-12-21

e Effective date as foreign disregarded entity
2005-12-21

f If benefits under a U S tax treaty were claimed with respect to income of the foreign disregarded entity, enter the treaty and article number

g Country in which principal business activity is conducted
SP

h Principal business activity
TESTING SERVICES

i Functional currency
European Union Euro

2 Provide the following information for the foreign disregarded entity's accounting period stated above

a Name, address, and identifying number of branch office or agent (if any) in the United States

b Name and address (including corporate department, if applicable) of person(s) with custody of the books and records of the foreign disregarded entity, and the location of such books and records, if different

3 For the **tax owner** of the foreign disregarded entity (if different from the filer) provide the following

a Name and address
ACT BUSINESS SOLUTIONS BV
NARITAWEG 165 1043 BW
AMSTERDAM
NL

b Annual accounting period covered by the return (see instructions)
to

c U S identifying number, if any

d Country under whose laws organized
NL

e Functional currency
United StatesD

4 For the **direct owner** of the foreign disregarded entity (if different from the tax owner) provide the following

a Name and address

b Country under whose laws organized

c U S identifying number, if any

d Functional currency

5 Attach an organizational chart that identifies the name, placement, percentage of ownership, tax classification, and country of organization of all entities in the chain of ownership between the tax owner and the foreign disregarded entity, and the chain of ownership between the foreign disregarded entity and each entity in which the foreign disregarded entity has a 10% or more direct or indirect interest See instructions

Schedule C Income Statement (see instructions)

Important: *Report all information in functional currency in accordance with U.S. GAAP. Also, report each amount in U.S. dollars translated from functional currency (using GAAP translation rules or the average exchange rate determined under section 989(b)). If the functional currency is the U.S. dollar, complete only the U.S. Dollars column. See instructions for special rules for foreign disregarded entities that use DASTM.*
If you are using the average exchange rate (determined under section 989(b)), check the following box . . . . ☑

			Functional Currency	U.S. Dollars
1	Gross receipts or sales (net of returns and allowances)	1	116,594	169,087
2	Cost of goods sold	2		
3	Gross profit (subtract line 2 from line 1)	3	116,594	169,087
4	Other income	4		
5	Total income (add lines 3 and 4)	5	62,142	90,119
6	Total deductions	6	472,837	685,718
7	Other adjustments	7		
8	Net income (loss) per books	8		

For Paperwork Reduction Act Notice, see the separate instructions. Cat No 21457L Form **8858** (12-2008)

Schedule C-1 Section 987 Gain or Loss Information

			(a) Amount stated in functional currency of foreign disregarded entity	(b) Amount stated in functional currency of recipient
1	Remittances from the foreign disregarded entity	1		
2	Section 987 gain (loss) of recipient	2		

		Yes	No
3	Were all remittances from the foreign disregarded entity treated as made to the direct owner?		
4	Did the tax owner change its method of accounting for section 987 gain or loss with respect to remittances from the foreign disregarded entity during the tax year?		

Schedule F Balance Sheet

Important: *Report all amounts in U.S. dollars computed in functional currency and translated into U.S. dollars in accordance with U.S. GAAP. See instructions for an exception for foreign disregarded entities that use DASTM.*

	Assets		(a) Beginning of annual accounting period	(b) End of annual accounting period
1	Cash and other current assets	1	-12,251	31,815
2	Other assets	2	260,808	203,983
3	Total assets	3	248,557	235,798
	Liabilities and Owner's Equity			
4	Liabilities	4	2,627,833	2,025,521
5	Owner's equity	5	-2,379,276	-1,789,723
6	Total liabilities and owner's equity	6	248,557	235,798

Schedule G Other Information

		Yes	No
1	During the tax year, did the foreign disregarded entity own an interest in any trust?		No
2	During the tax year, did the foreign disregarded entity own at least a 10% interest, directly or indirectly, in any foreign partnership?		No
3	*Answer the following question only if the foreign disregarded entity made its election to be treated as disregarded from its owner during the tax year:* Did the tax owner claim a loss with respect to stock or debt of the foreign disregarded entity as a result of the election?		
4	*Answer the following question only if the foreign disregarded entity is owned directly or indirectly by a domestic corporation and the foreign disregarded entity incurred a net operating loss for the tax year:* Is the foreign disregarded entity a separate unit as defined in Regulations sections 1 1503(d)-1(b)(4)? (If yes, see the instructions)	Yes	
5	*Answer the following question only if the tax owner of the foreign disregarded entity is a controlled foreign corporation (CFC):* Were there any intracompany transactions between the foreign disregarded entity and the CFC or any other branch of the CFC during the tax year, in which the foreign disregarded entity acted as a manufacturing, selling, or purchasing branch?		No

Schedule H Current Earnings and Profits or Taxable Income (see instructions)

Important: *Enter the amounts on lines 1 through 6 in functional currency.*

1	Current year net income or (loss) per foreign books of account	1	
2	Total net additions	2	
3	Total net substractions	3	
4	Current earnings and profits (or taxable income—see instructions) (line 1 plus line 2 minus line 3)	4	
5	DASTM gain or loss (if applicable)	5	
6	Combine lines 4 and 5	6	
7	Current earnings and profits (or taxable income) in U S dollars (line 6 translated at the average exchange rate determined under section 989(b) and the related regulations (see instructions))	7	
	Enter exchange rate used for line 7 ▶ 0 689551		

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SCHEDULE M (Form 8858) (December 2004) Department of the Treasury Internal Revenue Service

Transactions Between Foreign Disregarded Entity of a Foreign Tax Owner and the Filer or Other Related Entities

▶ Attach to Form 8858. ▶ See separate instructions.

OMB No 1545-1910

Name of person filing Form 8858	Identifying number
	42-0841485

Name of foreign disregarded entity	Name of tax owner
ACT BUSINESS SOLUTIONS SUCURSAL ESP	ACT BUSINESS SOLUTIONS BV

Important: *Complete a **separate** Schedule M for each foreign disregarded entity for which the tax owner is a controlled foreign corporation or controlled foreign partnership. Enter the totals for each type of transaction that occurred during the annual accounting period between the foreign disregarded entity and the persons listed in the applicable columns (b) through (f). All amounts must be stated in U.S. dollars translated from functional currency at the appropriate exchange rate for the foreign disregarded entity's tax year (see instructions).*

Enter the relevant functional currency and the exchange rate used throughout this schedule ▶ United StatesDollar 1 000000

Column Headings. This schedule contains two sets of column headings Check the box that identifies the status of the tax owner and complete lines 1 through 19 with respect to the applicable set of column headings

☐ **Controlled Foreign Partnership** **(a)** Transactions of foreign disregarded entity	**(b)** U S person filing this return	**(c)** Any domestic corporation or partnership controlling or controlled by the filer	**(d)** Any foreign corporation or partnership controlling or controlled by the filer (other than the tax owner)	**(e)** Any U S person with a 10% or more direct interest in the controlled foreign partnership (other than the filer)	
☑ **Controlled Foreign Corporation** **(a)** Transactions of foreign disregarded entity	**(b)** U S person filing this return	**(c)** Any domestic corporation or partnership controlled by the filer	**(d)** Any foreign corporation or partnership controlled by the filer (other than tax owner)	**(e)** 10% or more U S shareholder of any corporation controlling the tax owner	**(f)** 10% or more U S shareholder, or other owner, of any entity controlling the tax owner
1 Sales of inventory					
2 Sales of property rights					
3 Compensation recieved for certain services					
4 Commissions received					
5 Rents, royalties, and license fees received					
6 Dividends/Distributions received					
7 Interest received					
8 Other					
9 Add lines 1 through 8					
10 Purchases of inventory					
11 Purchases of tangible property other than inventory					
12 Purchases of property rights					
13 Compensation paid for certain services					
14 Commissions paid					
15 Rents, royalties, and license fees paid					
16 Interest paid					
17 Add lines 10 through 16					
18 Amounts borrowed (see instructions)					
19 Amounts loaned (see instructions)					

TY 2008 Earnings and Profits Other Adjustments Statement

Name: ACT INC

EIN: 42-0841485

Description	Amount
TAX PAID	-11,093

TY 2008 Earnings and Profits Other Adjustments Statement

Name: ACT INC

EIN: 42-0841485

Description	Amount
TAXES	-443,525

TY 2008 Investment in Subsidiaries Statement

Name: ACT INC

EIN: 42-0841485

Description	Beginning Amount	Ending Amount
investment in SUBSIDIARIES	1,072,636	1,072,636

TY 2008 Investment in Subsidiaries Statement

Name: ACT INC

EIN: 42-0841485

Description	Beginning Amount	Ending Amount
INVESTMENT IN SUBSIDIARIES	280,052	400,052

TY 2008 Itemized Other Current Liabilities Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	PROVISION FOR INCOME TAX		-18,885
ACT INC	42-0841485	PROVISION FOR PAYROLL TAX	756	
ACT INC	42-0841485	WITHHOLDING PAYABLE	11,637	
ACT INC	42-0841485	OTHER CURRENT LIABILITIES	1	82,655
ACT INC	42-0841485	ACCRUED LEAVE	112,511	

TY 2008 Itemized Other Current Liabilities Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	PROVISION FOR TAXES	2,760	5,761
ACT INC	42-0841485	PROVISION FOR SUPERANNUATION	1,979	
ACT INC	42-0841485	ACCRUED SALARIES	1,377	

TY 2008 Itemized Other Current Liabilities Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	INTERCOMPANY PAYABLE		148,190

TY 2008 Itemized Other Current Liabilities Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	other current liabilities	20,585	

TY 2008 Itemized Other Current Liabilities Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	EXCHANGE VARIANCE	-46,280	
ACT INC	42-0841485	ACCRUED SALARIES	24,287	
ACT INC	42-0841485	OTHER CURRENT LIABILITIES		-1,049
ACT INC	42-0841485	GST LIABILITIES		

TY 2008 Itemized Other Assets Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Other Assets Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	OTHER NON-CURRENT ASSETS		1,233

TY 2008 Itemized Other Assets Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Other Assets Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	LOAN RECEIVABLE	6,559	

TY 2008 Itemized Other Current Assets Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Other Current Assets Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	PROVISION FOR INCOME TAX	28,910	
ACT INC	42-0841485	GST RECEIVABLE	1,284	
ACT INC	42-0841485	ADVANCES	2,583	
ACT INC	42-0841485	OTHER CURRENT ASSETS		2,525

TY 2008 Itemized Other Current Assets Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Other Current Assets Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	BOND	21,080	4,283

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TY 2008 Itemized Other Current Assets Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Other Current Assets Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	OTHER CURRENT ASSETS	92,462	20,242

TY 2008 Itemized Other Current Assets Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Other Current Assets Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	CHINA CLEARING ACCOUNT	-3,345	
ACT INC	42-0841485	OTHER CURRENT ASSETS		9,795

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TY 2008 Other Deductions Schedule

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount (should only be used when attached to 5471 Schedule C Line 16)	Amount
OTHER SG&A	386,788	279,515

TY 2008 Other Deductions Schedule

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount (should only be used when attached to 5471 Schedule C Line 16)	Amount
OTHER SG&a	63,947,573	48,425

TY 2008 Other Deductions Schedule

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount (should only be used when attached to 5471 Schedule C Line 16)	Amount
OTHER SG&A	2,126,651	310,637

TY 2008 Other Deductions Schedule

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount (should only be used when attached to 5471 Schedule C Line 16)	Amount
OTHER SG&A		28,942

TY 2008 Other Deductions Schedule

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount (should only be used when attached to 5471 Schedule C Line 16)	Amount
EXTAERNAL WORKS		593,727
OTHER SG&A		49,135

TY 2008 Other Deductions Schedule

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount (should only be used when attached to 5471 Schedule C Line 16)	Amount
OTHER SG&A		703,748

TY 2008 Itemized Other Liabilities Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Other Liabilities Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	OTHER CURRENT LIABILITIES		2,089

TY 2008 Itemized Other Liabilities Schedule

Name: ACT INC

EIN: 42-0841485

Corporation Name	Corporation EIN	Other Liabilities Description	Beginning Amount	Ending Amount
ACT INC	42-0841485	OTHER NON-CURRENT LIABILITIES		1,808

TY 2008 Other Income Statement

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount	Amount
FOREIGN CURRENCY EXCHANGE LOSS	154,743	111,826

TY 2008 Other Income Statement

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount	Amount
FOREIGN CURRENCY EXCHANGE LOSS	-9,006,143	-6,820

TY 2008 Other Income Statement

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount	Amount
FOREIGN CURRENCY EXCHANGE LOSS	-1,936,552	-282,869

TY 2008 Other Income Statement

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount	Amount
FOREIGN CURRENCY EXCHANGE GAIN		1,170

TY 2008 Other Income Statement

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount	Amount
FOREIGN CURRENCY EXCHANGE GAIN		1,484
EXTRAORDINARY LOSS		-78,968

TY 2008 Other Income Statement

Name: ACT INC

EIN: 42-0841485

Description	Foreign Amount	Amount
FOREIGN CURRENCY EXCHANGE LOSS		455

TY 2008 Owns Foreign Entities Statement

Name: ACT INC
EIN: 42-0841485

Name	Country	EIN
ACT BUS SOLUTIONS SUCURSAL EN ESPANA	SP	42-0841485

TY 2008 Organization Chart Statement

Name: ACT INC

EIN: 42-0841485

Entity Name	Placement Or Position	Percentage Of Ownership	Tax Classification	Country
ACT INC	PARENT	100 000 %	Domestic entity electing to be classified as a corporation	
ACT INTERNATIONAL BV	SUBSIDIARY OF ACT, INC	100 000 %	Foreign entity electing to be classified as a corporation	NL
ACT BUSINESS SOLUTIONS BV	SUBSIDIARY OF ACT INTERNATIONAL B V	100 000 %	Foreign entity electing to be classified as a corporation	NL
ACT BUSINESS SOLUTIONS ESPANA	SUBSIDIARY OF ACT BUSINESS SOLUTIONS	0 %	Foreign single owner electing to be disregarded as separate entity	SP