

## FUNDRAISING AND GIFT ACCEPTANCE

**University Policy No:** ER4105  
**Classification:** External Relations  
**Approving Authority:** Board of  
Governors  
**Effective Date:** November, 2013  
**Supersedes:** May, 2013  
**Last Editorial Change:**  
**Mandated Review:** March, 2020

### Associated Procedures:

[Procedures for Fundraising and Gift Acceptance](#)

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#### **PURPOSE**

- 1.00 The purpose of this policy is to set out the provisions that govern fundraising and gift acceptance activities at the university.

#### **DEFINITIONS**

For the purposes of this policy:

- 2.00 **University Community Member** includes all employees and registered students of the university; any person holding a university appointment whether or not that person is an employee; post doctoral fellows; members of the Board of Governors; groups affiliated with the university; and anyone residing on campus.
- 3.00 **Gift** means a voluntary transfer of property without benefit to the donor or to anyone designated by the donor, or of property that qualifies as a charitable donation within the meaning of the split receipting rules of the Income Tax Act (Canada).

#### **JURISDICTION/SCOPE**

- 4.00 This policy applies to University Community Members and to all fundraising and gift acceptance activities at the university.
- 5.00 This policy does not apply to sponsorships or to non-philanthropic grants and contributions.

#### **POLICY**

- 6.00 The university is a registered charity that engages in fundraising activities and welcomes Gifts from individuals, corporations, foundations, associations and other donors to support its mandate, vision, mission and values.

Governance of Fundraising and Gift Acceptance Activities

- 7.00 Fundraising and gift acceptance activities shall be informed by the university's strategic and operational planning and carried out in accordance with professional fundraising codes of ethics, and with sensitivity and respect for donors.
- 8.00 The university's fundraising and gift acceptance activities shall be coordinated in a manner that serves the best interest of the university and supports the university's priorities to the fullest extent possible.
- 8.01. Appropriate discussion and consultation will occur internally prior to approaching or making commitments to donors. Pre-approval of some Gifts will be required as set out in the associated procedures.
- 8.02 The university values its donors and will endeavour to protect donors from multiple approaches for Gifts by University Community Members.
- 9.00 The President is the final approval authority for the university's fundraising activities and priorities. The President may delegate the responsibility for fundraising activities and priorities.
- 10.00 The Board of Governors is the final approval authority for Gifts in excess of \$5 million.
- 11.00 The President and the Vice-President External Relations are the final approval authorities for Gifts in excess of \$1 million and up to and including \$5 million.
- 12.00 The Vice-President External Relations and one of: the Vice-President Finance and Operations, Vice- President Academic and Provost, or Vice-President Research, are the final approval authorities for Gifts in excess of \$500,000 and up to and including \$1 million.
- 13.00 The Vice-President External Relations and the Vice-President Academic and Provost are the final approval authorities for Gifts up to and including \$500,000, and they may delegate this authority to university employees, provided that Gifts over \$10,000 are approved by one employee from within and one employee from outside the division of External Relations.
- 13.01 For Gifts-in-kind to the Library or to the University of Victoria Art Collection, authority may be delegated by the Vice-President External Relations and the Vice-President Academic and Provost to two employees from within the respective units.

- 14.00 The approval authorities listed in this policy and associated procedures are in addition to and do not substitute for the approval requirements in the following policies:
- a) [Student Awards Policy \(AC1130\)](#);
  - b) [Naming of Facilities and Physical Assets \(BP3100\)](#);
  - c) [Policy for the Establishment of Endowed and Term Chairs and Professorships \(AC1100\)](#);
  - d) [External Research Funding Agreements \(RH8200\)](#);
  - e) [Establishment and Review of Research Centres \(RH8300\)](#).
- 15.00 The Vice-President External Relations is responsible for reporting annually to the Board of Governors on fundraising activities, priorities and gift acceptance.
- 16.00 The Alumni and Development Office is responsible for the administration and coordination of all fundraising and gift acceptance activities for the university.
- 17.00 Gifts may be made to the university in various forms, including but not limited to:
- a) cash or cash equivalent
  - b) publicly traded securities or shares in mutual funds
  - c) bequests
  - d) life insurance policies
  - e) gifts-in-kind (non-cash Gifts such as equipment, artwork and book collections)
  - f) charitable remainder trusts
  - g) real estate
  - h) Gifts of residual interest
- 18.00 The university does not provide any legal, accounting, tax or financial advice to donors with respect to Gifts.
- 19.00 The university will not act as executor of a donor's estate or as trustee of a living trust.
- 20.00 The university will honour a request for a Gift to be used for a specific purpose provided that the purpose is consistent with the university's mandate, vision, mission and values and this policy.
- 20.01 If changed circumstances should at some future point make it impractical to use the Gift for its designated purpose, then the university may at its discretion change the terms of the Gift or in the case of a gift-in-kind dispose or sell the Gift. The university will attempt to adhere as closely as possible to the donor's original intent.
- 20.02 Unrestricted Gifts may be allocated by the President to support institutional priorities.
- 21.00 Where required in the associated procedures, written Gift agreements will be created between the donor and the university.

- 22.00 To assist in recovering the costs associated with fundraising, the university may charge a levy against certain Gifts made through the Annual Giving office subject to due diligence reporting on levy amounts to the Board of Governors.
- 23.00 The university may refund a Gift if the conditions in the associated procedures are met.
- 24.00 The university is grateful for all Gifts offered, but will not accept Gifts that are unlawful or result in an abridgement of its academic freedom, autonomy, or integrity, and reserves the right to decline a Gift for any reason in its sole discretion, including but not limited to:
- a) the Gift could reasonably compromise the university's public image or reputation;
  - b) the Gift will be difficult or costly to administer;
  - c) the Gift exposes the university to unacceptable risk;
  - d) the donor applies unacceptable restrictions or conditions on the Gift;
  - e) the Gift conflicts with university policy.
- 25.00 Acceptance of a Gift is not final until it is approved by the requisite university approval authority.

#### Donor Recognition

- 26.00 Public recognition by the university for Gifts will be accorded based on the level of the Gift and will be designed taking the donor's wishes into account.

#### Management of Donor Information and Confidentiality

- 27.00 The university will respect all donor requests for anonymity to the extent legally possible.
- 28.00 The university shall collect, use, maintain, store, disclose and dispose of donor information in accordance with the [\*Freedom of Information and Protection of Privacy Act\*](#) and the university's Protection of Privacy and Records Management policies and procedures.

### **AUTHORITIES AND OFFICERS**

- (i) Approving Authority: Board of Governors
- (ii) Designated Executive Officer: Vice-President External Relations
- (iii) Procedural Authority: Vice-President External Relations and  
Vice-President Academic and Provost
- (iv) Procedural Officer: Associate Vice-President Alumni and Development

## **RELEVANT LEGISLATION**

[University Act](#)

[Income Tax Act](#)

[Freedom of Information and Protection of Privacy Act](#)

## **RELATED POLICIES AND DOCUMENTS**

[University of Victoria Strategic Plan](#)

[Naming of Facilities and Physical Assets Policy \(BP3100\)](#)

[Policy for the Establishment of Endowed and Term Chairs and Professorships \(AC1100\)](#)

[Student Awards \(AC1130\)](#)

[Signing Authority Policy \(FM5100\)](#)

[Maltwood Art Museum and Gallery \(BP3300\)](#)

[External Research Funding Agreements \(RH8200\)](#)

[Protection of Privacy Policy \(GV0235\)](#)

- [Management of Personal Information Procedures](#)

[Records Management Policy \(IM7700\)](#)

- [Procedures for the Management of University Records](#)

- [Access to and Correction of Information](#)

[AFP Code of Ethical Principles and Standards](#)

[Donor's Bill of Rights](#)

## PROCEDURES FOR FUNDRAISING AND GIFT ACCEPTANCE

**Procedural Authority:** Vice-President External  
Relations and Vice-President Academic and Provost

**Effective Date:** May, 2013

**Supersedes:** New

**Procedural Officer:** Associate Vice-President  
Alumni and Development

**Last Editorial Change:**

**Parent Policy:** [Fundraising and Gift Acceptance Policy \(ER4105\)](#)

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### PURPOSE

- 1.00 The purpose of these procedures is to set out the processes for the administration of fundraising and gift acceptance at the university.

### DEFINITIONS

- 2.00 The definitions contained within the university's Fundraising and Gift Acceptance Policy (ER4105) apply to these procedures.

### PROCEDURES

#### General

- 3.00 Under the direction of the Associate Vice-President Alumni and Development, the Alumni and Development Office is responsible for the strategy and planning of fundraising activities, and for the development of work plans which guide the acceptance of gifts.
- 4.00 Under the direction of the Associate Vice-President Alumni and Development, the Alumni and Development Office is responsible for the administration of the donor clearance process which ensures that donors are approached in a coordinated and consistent manner.

#### Gift pre-approval

- 5.00 For all gifts-in-kind to the University of Victoria Art Collection (UVAC), pre-approval must be obtained in writing from the Director of UVAC.
- 6.00 For all gifts-in-kind to the Library, pre-approval must be obtained in writing from the University Librarian.
- 7.00 For all Gifts of land, pre-approval must be obtained in writing from the Assistant Treasurer. Pre-approval will be coordinated via the Director of Advancement Services.

- 8.00 For all Gifts for research purposes, pre-approval of proposals must be obtained in writing from the Associate Vice-President Research Operations. Pre-approval will be coordinated via the Director of Fundraising.
- 9.00 For all other Gifts that may potentially total \$25,000 or more, or may meet any criteria for non acceptance (see section 24 of the Fundraising and Gift Acceptance Policy (ER4105)), pre-approval must be obtained in writing from the Director of Fundraising or the Director of Principal Gifts and Campaigns, and the Dean<sup>1</sup> prior to any discussions with the donor.
- 9.01 Deans will keep the Vice-President Academic and Provost apprised of fundraising and gift acceptance activities.
- 9.02 For Gifts over \$500,000, pre-approval must also be obtained from the final approval authorities listed in [Appendix A](#).

#### Gift approval

- 10.00 Gift acceptance approval authorities have been delegated as outlined in [Appendix A](#).
- 11.00 The gift acceptance approval authorities must be:
- a) assured the university can meet its obligations within the terms of the Gift;
  - b) confident that the donor can meet their obligation;
  - c) assured that the terms of the gift comply with labour legislation, employee collective agreements, tax legislation and other legislative and regulatory requirements;
  - e) assured that all necessary groups have reviewed and agreed to the terms of the Gift;
  - f) assured that all items on the Gift checklist have been considered and/or resolved.

#### Refusal of a Gift

- 12.00 For Gifts up to and including \$5 million, if the gift acceptance authorities consider that the Gift may meet any criteria for non-acceptance (see section 24 of the Fundraising and Gift Acceptance Policy (ER4105)) then the gift must be referred to the Associate Vice-President of Alumni and Development who will then bring the issue to the President and Vice-Presidents for final determination.

#### Refund of a Gift

- 13.00 A donor may request the refund of their Gift, if the following conditions exist: the request for the refund is made within one month of the original Gift and the money has not yet been spent or committed by the university. If a tax receipt has been issued, the gift processing unit will handle the necessary follow-up to revoke the donation receipt.

#### Gift agreements

- 14.00 Gift agreements must be created for all Gifts \$25,000 or more, and for specific Gifts as listed in [Appendix A](#).
- 15.00 All Gift agreements must follow the templates created by the Donor Relations office.

- 16.00 Gift agreements must include:
- a) a statement that the Gift must have university approval before it is considered accepted;
  - b) a section describing "the story behind the Gift";
  - c) a section outlining the terms/purpose of the Gift;
  - d) a section allowing the university to amend the terms/purpose;
  - e) a section outlining the payment plan;
  - f) a section containing two university signatures and at least one donor signature.

17.00 All gift agreements must be submitted to the Donor Relations office for initial review prior to any signatures.

18.00 The Donor Relations office is responsible for ensuring that all gift acceptance approvals are received and that all gift agreements are signed by the appropriate individuals using the approval tracking document.

19.00 The Donor Relations office is responsible for ensuring that gift agreement templates and subsequent revisions are reviewed and approved by the university's General Counsel.

#### Legal review

20.00 If legal review is not specifically required as outlined in [Appendix A](#), and the terms of the Gift are considered straightforward by the Development Office, then legal review is not required.

21.00 If legal review is required as outlined in [Appendix A](#), the development officer must notify General Counsel as soon as possible to provide time for review.

#### Professional Advice

22.00 Donors should be encouraged to seek independent professional legal, accounting, tax or financial advice and are responsible for all costs incurred. The university cannot suggest or endorse a third party as a source of Gift advice.

#### Appraisals

23.00 Expenses associated with a donor's Gift (e.g. appraisals, shipping, legal fees, real-estate commissions) shall in most cases be paid by the donor. In limited circumstances the university may agree to pay some or all of the donor's expenses.

24.00 The determination of who is paying for the appraisal (donor or university) shall be agreed upon prior to beginning the appraisal. If the donor opts not to donate after receiving the appraisal value, then the donor will bear the full cost of the appraisal.

#### Donor recognition

25.00 Signage and announcements are dictated by the [Naming of Facilities and Physical Assets Policy \(BP3100\) \(and associated procedures and guidelines\)](#), [External Signage Policy \(BP3115\)](#) and [Interior Signage Policy \(BP3120\)](#).



- 26.00 The costs of donor recognition are the responsibility of the faculty/unit receiving the gift.
- 27.00 Where a communication plan is prepared for a specific gift, the plan must be approved by the President and Vice-Presidents prior to discussions with the donor.
- 27.01 If the communication plan includes a press release, the press release must be pre-approved by the communication office.

#### Gifts to the university's foundations

- 28.00 Gifts to the university's foundations follow the approval process for Gifts to the university and are then referred, with recommendation for approval, to the respective foundation board for final approval using a foundation Gift report.
- 29.00 The University of Victoria Foundation board shall be notified of Gifts \$100,000 and above that have been donated to the university but transferred to the foundation.

#### Unrestricted Gifts

- 30.00 Unrestricted Gifts are directed to the university's top priorities as listed in the annual Integrated Planning document.

#### Cultural property

- 31.00 The Director of the University of Victoria Art Collections and the University Librarian are responsible for determining whether a Gift has appropriate qualifications for application to the Government of Canada's Cultural Property Export and Import Review Board for certification.

#### Tangible personal property

- 32.00 Tangible personal property, excluding art, library materials and equipment, are generally sold upon receipt.

#### Publicly listed securities

- 33.00 Publicly listed securities are sold immediately upon receipt.

#### Private shares

- 34.00 Private shares are redeemed for cash as soon as practical upon receipt.

#### Tax Receipts

- 35.00 The Alumni and Development Office is responsible for issuing charitable tax receipts for accepted Gifts in compliance with the requirements of the [Income Tax Act](#).

#### Donor Records

- 36.00 The Alumni and Development Office is responsible for the management of donor records.

## APPENDIX A

### Gifts up to and including \$10,000

Type	Approval Authority		Additional Review Required	Legal Review Required	Gift Agreement Required
Private Shares or Complex Share Transactions	Assistant Treasurer	Director of Advancement Services	-	Yes	Yes
Equipment for Faculty/Unit	Dean (1)	Director of Advancement Services	Risk Management	As needed	Gift-in-kind donation form
New Student Awards	BOG <u>upon recommendation of Senate</u> per policy AC1130 "Student Awards"	Director of Advancement Services	Senate Committee on Awards	As needed	Yes (signatory Dir Adv Svs)
University of Victoria Art Collection Gifts-in-kind	Director of UVAC	UVAC Curator	-	-	Art donation form
Library Gifts-in-kind	Head of Special Collections		-	-	Library donation form
All gifts	Manager of Gift Processing		If funding for research then research accounting	-	-

### Gifts in excess of \$10,000 up to and including \$75,000

Type	Approval Authority A	Approval Authority B	Additional Review Required	Legal Review Required	Gift Agreement Required
Real-estate	Assistant Treasurer	Director of Advancement Services	-	Yes	Yes
Private Shares or Complex Share Transactions	Assistant Treasurer	Director of Advancement Services	-	Yes	Yes
Equipment for Faculty/Unit	Dean (1)	Director of Advancement Services	Risk Management	As needed	Gift-in-kind donation form
New initiatives for Faculty/Unit Operations (or to existing initiatives with conditions)	Dean (1)	Director of Advancement Services	-	Yes	Yes
New initiatives for Research (or to existing initiatives with conditions)	Associate Vice-President Research Operations	Director of Advancement Services	Research Accounting	Yes	Yes
Other Tangible Personal Property	Planned Giving Office	Director of Advancement Services	-	-	Gift-in-kind donation form
Planned Gifts	Planned Giving Office	Director of Advancement Services	Consult Finance Office	As needed	Only for \$25,000+

New Student Awards	BOG <u>upon recommendation of Senate</u> per policy AC1130 "Student Awards"		Senate Committee on Awards	As needed	Yes (signatory Dir Adv Svs)
New Named Facilities and Physical Assets	BOG per policy BP3100 "Naming of Facilities and Physical Assets Policy" ( <u>via President and Advisory Committee</u> on Naming Facilities and Physical Assets)		-	Yes	Yes
University of Victoria Art Collection Gifts-in-kind	Director of UVAC	UVAC Curator	-	-	Art donation form
Library Gifts-in-kind	University Librarian	Head of Special Collections	-	-	Library donation form
All other gifts	Dean (1)	Director of Advancement Services	-	As needed	Only for \$25,000+

### Gifts in excess of \$75,000 up to and including \$500,000

Type	Approval Authority A	Approval Authority B	Additional Review Required	Legal Review Required	Gift Agreement Required
Real-estate	Assistant Treasurer	AVP Alumni and Development	-	Yes	Yes
Private Shares or Complex Share Transactions	Assistant Treasurer	AVP Alumni and Development	-	Yes	Yes
Equipment for Faculty/Unit	Dean (1)	AVP Alumni and Development	Risk Management	As needed	Gift-in-kind donation form
All Gifts for Faculty/Unit Operations	Dean (1)	AVP Alumni and Development	-	Yes	Yes
All Gifts for Research	Associate Vice-President Research Operations	AVP Alumni and Development	Research Accounting	Yes	Yes
Other Tangible Personal Property	Dean (1)	AVP Alumni and Development	Planned Giving office	As needed	Gift-in-kind donation form
Planned Gifts	Dean (1)	AVP Alumni and Development	Planned Giving Office (consult Finance Office)	As needed	Yes
New Student Awards	BOG <u>upon recommendation of Senate</u> per policy AC1130 "Student Awards"		Senate Committee on Awards	As needed	Yes (signatory AVP A&D)
New Named Chairs or Professorships	BOG <u>upon recommendation of Senate</u> per policy AC1100 "Policy for the Establishment of Endowed and Term Chairs and Professorships"		-	Yes	Yes
New Named Facilities and Physical Assets	BOG per policy BP3100 "Naming of Facilities and Physical Assets Policy" ( <u>via President and Advisory Committee</u> on Naming Facilities and Physical Assets)		-	Yes	Yes
University of Victoria Art Collection Gifts-in-kind	Director of UVAC	AVP Alumni and Development	-	-	Art donation form
Library Gifts-in-kind	University Librarian	Head of Special Collections	-	-	Library donation form
All other gifts	Dean (1)	AVP Alumni and Development	-	As needed	Yes

The following approval authorities are dictated by the Fundraising and Gift Acceptance Policy (ER4105):

**Gifts in excess of \$500,000 up to and including \$1,000,000**

Type	Approval Authority A	Approval Authority B	Additional Review Required	Legal Review Required	Gift Agreement Required
Real-estate	Vice-President Finance and Operations	Vice-President External Relations	-	Yes	Yes
Private Shares or Complex Share Transactions	Vice-President Finance and Operations	Vice-President External Relations	-	Yes	Yes
Equipment for Faculty/Unit	Vice-President Academic and Provost (For Research Centres: Vice-President Research)	Vice-President External Relations	Risk Management & Dean (1)	As needed	Gift-in-kind donation form
All Gifts for Faculty/Unit Operations	Vice-President Academic and Provost (For Research Centres: Vice-President Research)	Vice-President External Relations	Dean (1)	Yes	Yes
All Gifts for Research	Vice-President Research	Vice-President External Relations	Research Accounting	Yes	Yes
Other Tangible Personal Property	Vice-President Academic and Provost	Vice-President External Relations	Planned Giving office	As needed	Gift-in-kind donation form
Planned Gifts	Vice-President Academic and Provost	Vice-President External Relations	Planned Giving Office (consult Finance Office)	As needed	Yes
New Student Awards	BOG <u>upon recommendation of Senate</u> per policy AC1130 "Student Awards"		Senate Committee on Awards	As needed	Yes (signatory VPER)
New Named Chairs or Professorships	BOG <u>upon recommendation of Senate</u> per policy AC1100 "Policy for the Establishment of Endowed and Term Chairs and Professorships"		-	Yes	Yes
New Named Facilities and Physical Assets	BOG per policy BP3100 "Naming of Facilities and Physical Assets Policy" ( <u>via President and Advisory Committee</u> on Naming Facilities and Physical Assets)		-	Yes	Yes
University of Victoria Art Collection Gifts-in-kind	Vice-President Finance and Operations	Vice-President External Relations	Director of UVAC	As needed	Art donation form
Library Gifts-in-kind	Vice-President Academic and Provost	Vice-President External Relations	Librarian	As needed	Library donation form
All other gifts	One of Vice-President Finance and Operations, Vice-President Academic and Provost, or Vice-President Research	Vice-President External Relations	-	Yes	Yes

**Gifts in excess of \$1,000,000 up to and including \$5,000,000**

Type	Approval Authority A	Approval Authority B	Additional Review Required	Legal Review Required	Gift Agreement Required
Real-estate	President	Vice-President External Relations	-	Yes	Yes
Private Shares or Complex Share Transactions	President	Vice-President External Relations	-	Yes	Yes
Equipment for	President	Vice-President External Relations	Risk	As	Gift-in-kind

Faculty/Unit			Management & Dean (1)	needed	donation form
All Gifts for Faculty/Unit Operations	President	Vice-President External Relations	Dean (1)	Yes	Yes
All Gifts for Research	President	Vice-President External Relations	Research Accounting	Yes	Yes
All Gifts for Centre Operations	President	Vice-President External Relations	Research Accounting	Yes	Yes
Other Tangible Personal Property	President	Vice-President External Relations	Planned Giving office	As needed	Gift-in-kind donation form
Planned Gifts	President	Vice-President External Relations	Planned Giving Office (consult Finance Office)	As needed	Yes
New Student Awards	BOG <u>upon recommendation of Senate</u> per policy AC1130 "Student Awards"		Senate Committee on Awards	As needed	Yes (signatory President)
New Named Chairs or Professorships	BOG <u>upon recommendation of Senate</u> per policy AC1100 "Policy for the Establishment of Endowed and Term Chairs and Professorships"		-	Yes	Yes
New Named Facilities and Physical Assets	BOG per policy BP3100 "Naming of Facilities and Physical Assets Policy" (via <u>President and Advisory Committee</u> on Naming Facilities and Physical Assets)		-	Yes	Yes
University of Victoria Art Collection Gifts-in-kind	President	Vice-President External Relations	Director of UVAC	Yes	Art donation form
Library Gifts-in-kind	President	Vice-President External Relations	Librarian	Yes	Library donation form
All other gifts	President	Vice-President External Relations	-	Yes	Yes

### Gift in excess of \$5,000,000

Type	Approval Authority A	Approval Authority B	Additional Review Required	Legal Review Required	Gift Agreement Required
New Student Awards	BOG <u>upon recommendation of Senate</u> per policy AC1130 "Student Awards"		Senate Committee on Awards	As needed	Yes (signatory President)
New Named Chairs or Professorships	BOG <u>upon recommendation of Senate</u> per policy AC1100 "Policy for the Establishment of Endowed and Term Chairs and Professorships"		-	Yes	Yes
New Named Facilities and Physical Assets	BOG per policy BP3100 "Naming of Facilities and Physical Assets Policy" (via <u>President and Advisory Committee</u> on Naming Facilities and Physical Assets)		-	Yes	Yes
University of Victoria Art Collection Gifts-in-kind	BOG upon recommendation by President		Director of UVAC	Yes	Art donation form
Library Gifts-in-kind	BOG upon recommendation by President		Librarian	Yes	Library donation form
All other gifts	BOG upon recommendation by President		-	Yes	Yes

Footnote:

- (1) for non-faculties, the following positions apply:
  - a) Research Centres: Associate Vice-President Research;
  - b) Canassist: Executive Director of CanAssist;
  - c) Vikes: Director of Athletics & Recreational Services;
  - d) Division of Medical Sciences: Regional Associate Dean, Vancouver Island;
  - e) Learning and Teaching Centre: Associate Vice-President Academic Planning;
  - f) Co-operative Education Program and Career Services: if not faculty specific then Associate Vice-President Academic Planning, otherwise to Dean of faculty.