The meeting was called to order at 5:00 p.m.

Board Members Present: President Thomas Mohr, Vice President Richard Holober, Trustee Maurice Goodman, Trustee Dave Mandelkern, Trustee Karen Schwarz

ANNOUNCEMENT OF CLOSED SESSION ITEMS FOR DISCUSSION
President Mohr said that during Closed Session, the Board will hold a conference with agency labor negotiator Kathy Blackwood; the employee organizations are AFT and CSEA.

STATEMENTS FROM THE PUBLIC ON CLOSED SESSION ITEMS ONLY
None

RECESS TO CLOSED SESSION
The Board recessed to Closed Session at 5:01 p.m.

RECONVENE TO OPEN SESSION
The Board reconvened to Open Session at 6:05 p.m.

Board Members Present: President Thomas Mohr, Vice President Richard Holober, Trustee Maurice Goodman, Trustee Dave Mandelkern, Trustee Karen Schwarz, Student Trustee Dennis Zheng

Others Present: Chancellor Ron Galatolo, Executive Vice Chancellor Kathy Blackwood, Skyline College President Regina Stanback Stroud, College of San Mateo President Michael Claire, Cañada College President Jamillah Moore

PLEDGE OF ALLEGIANCE

DISCUSSION OF THE ORDER OF THE AGENDA
President Mohr said that in order to accommodate the auditor, it was requested that items 17-1-102B through 17-1-105B be placed first on the agenda. There were no objections from the Board.

Trustee Goodman asked that approval of a resolution honoring College of San Mateo Football Coach Larry Owens during Black History month be added to the agenda. The need to take action on this item arose after the agenda was posted. It was moved by Trustee Mandelkern and seconded by Vice President Holober to add this item to the agenda. The motion carried, all members voting Aye. The item will be numbered Board Report No. 17-1-110B and will be titled “Adoption of Resolution No. 17-3 Honoring Larry Owens.” A copy of the proposed resolution was provided to Board members and is made part of the official record.

RECEIPT AND ACCEPTANCE OF THE 2015-16 DISTRICT AUDIT REPORT (17-1-100B); RECEIPT AND ACCEPTANCE OF THE 2015-16 KCSM AUDIT REPORT (17-1-101B); RECEIPT AND ACCEPTANCE OF THE 2015-16 GENERAL OBLIGATION BOND FINANCIAL AND PERFORMANCE AUDITS (17-1-102B); RECEIPT AND ACCEPTANCE OF THE 2015-16 RETIREMENT FUTURIS PUBLIC ENTITY INVESTMENT TRUST AUDIT REPORT (17-1-103B)
It was moved by Trustee Mandelkern and seconded by Vice President Holober to accept the audit reports as presented. Auditor Tina Tries of Crowe Horwath LLP, discussed the audit reports.

District Audit Report
Ms. Tries said the District audit report addresses three areas: the financial audit, state compliance and federal compliance.

• Financial Audit: Ms. Tries said there was an unmodified opinion that the financial statements were presented fairly in all material respects. She said there were two findings from a financial reporting perspective. The first is that the District’s statement of net position did not include the net Other Post-Retirement Benefit Trust
(OPEB Trust) as an asset in the total numbers, but information about the trust was instead listed in the notes to the financial statement. A change is recommended to include this as an asset, increasing the District’s assets by $47 million. The second finding was that the bond refinancings were not included in the District’s financial statements; the entries for refinancings are usually developed by the auditors and the previous auditors employed by the District did not include them.

Ms. Tries said this was a good year for the District financially, as discussed in the “Management’s Discussion and Analysis” section of the report.

- State compliance: Ms. Tries said there was one finding; the District did not comply with the 50 Percent Law which is considered a significant deficiency. There were no financial penalties associated with the non-compliance.

- Federal compliance: Ms. Tries said the auditors examined two major programs which receive federal funding – student financial aid and the TRiO program. There were no findings or questioned costs.

KCSM-TV and KCSM-FM Audit Reports
Ms. Tries said there were unmodified opinions for both stations, with no adjustments.

General Obligation Bond Performance and Financial Audits

- Measure A: Ms. Tries said the Performance Audit concluded that the bond funds were used appropriately according to the projects named by the District. There was an unmodified opinion on the financial statements and there were no findings.

- Measure H: Ms. Tries said the auditors tested a sample of transactions for compliance with named projects and costs and found that they were in compliance. There was an unmodified opinion on this audit as well.

Retirement Futuris Public Entity Investment Trust Audit Report
Ms. Tries said there was an unmodified opinion that all financial statements were presented fairly.

Ms. Tries acknowledged the support that the auditors received from staff at the Colleges. She also thanked District staff including Executive Chancellor Blackwood, former Chief Financial Officer Raymond Chow, Controller Nicole Wang and Chief Financial Officer Bernata Slater.

Vice President Holober asked for further information on the restatement of the $47 million in the OPEB Trust and asked where this is shown in the audit reports. Ms. Tries said the separate audit of the Retirement Futuris Public Entity Investment Trust, showing total assets of $80 million, contains information current as of June 30, 2016. However, the numbers included in the audited financial statements in the District audit report, including this restatement as an asset, come from the last actuarial report which was done two years ago and does not include contributions made by the District since that time. The $60 million net OPEB asset shown on page 58 of the District audit, plus the contributions made by the District since the actuarial report, comes to the $80 million as stated in the separate Futuris audit report. Vice President Holober asked if the total amount is considered part of the District’s assets even though the District does not have access to the funds. Ms. Tries confirmed that this is the case.

President Mohr said the KCSM-TV audit report shows an operating loss of $1.2 million. He asked if this was a true loss. Ms. Tries said the auditors are required to look at what is considered operating revenue vs. non-operating revenue. Non-operating revenues are dollars that come from other sources. When taking these dollars into consideration, the net loss is $64,000. Responding to a question from President Mohr regarding District support for KCSM-TV, Executive Vice Chancellor Blackwood said 46% of the operating revenues are indirect support, meaning the revenue is not directly from the users of the station. She said most of the indirect support comes from the Corporation for Public Broadcasting.

President Mohr said the KCSM-FM audit report shows total revenues (operating and non-operating) of $2,212,162 and an operating loss of $2,395,458, resulting in a loss of $183,296. He asked if these numbers are correct. Ms. Tries confirmed that they are the correct figures.
Trustee Mandelkern said the return on assets in the Retirement Futuris Public Entity Investment Trust is quite low. He said this was discussed last year and the issue of the conservative nature of the board responsible for investing was raised. He asked if there has been further discussion about why the returns continue to be low. Executive Vice Chancellor Blackwood said she does not currently sit on the Retirement Board of Authority. She noted, however, that the board developed an investment policy and the investment advisor and trust company are following this policy. Ms. Tries said the makeup of the funds is shown on page 6 of the audit report and indicates a blend of fixed income, equity and real estate. Ms. Tries said there was an unrealized loss of approximately $1.9 million during the fiscal year ended June 30, 2016. She said June 30 was not a good day for the stock market, due in part to the “Brexit” resolution in June. She said it would be interesting to examine the December 31st statement to see if the assets bounced back. At Vice President Holober’s request, Chancellor Galatolo said staff will present a report on the end of the calendar year statement. Executive Vice Chancellor Blackwood said she will communicate Trustee Mandelkern’s questions about the return on investments to the Retirement Board of Authority.

After this discussion, the motion to approve the audit reports carried, all members voting Aye.

**ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

President Mohr said the Board took no reportable action during closed session.

**MINUTES**

It was moved by Trustee Schwarz and seconded by Trustee Goodman to approve the minutes of the Study Session of January 11, 2017. The motion carried, with Trustee Mandelkern abstaining and all other members voting Aye.

**STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES**

Chancellor Galatolo announced that KCSM was selected to receive a $500 grant from The Lisa Esherick Fund at the East Bay Community Foundation. Chancellor Galatolo sent a thank you letter on behalf of the Board.

Chancellor Galatolo congratulated President Mohr on his selection as the recipient of the Redwood City-San Mateo County Chamber of Commerce’s Cornerstone Award. President Mohr will be honored at the Awards Dinner on January 26.

College of San Mateo President Claire directed the Board’s attention to a booklet titled “Onward Upward: Transferring from CSM to the university of your choice.” President Claire provided copies of the booklet to the Board.

Executive Vice Chancellor Blackwood thanked staff at the District Office and at the Colleges for their hard work on preparation for the audits. President Mohr complimented Executive Vice Chancellor Blackwood and her team. He said it is unusual for the management of all of the funds and the subsequent audits to be as outstanding as they are. Chancellor Galatolo added this thanks to Executive Vice Chancellor and her team. Trustee Schwarz thanked Executive Vice Chancellor Blackwood for alerting the Board about the two findings.

**STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

Katharine Harer, faculty member at Skyline College and Co-Vice President of AFT Local 1493, thanked the Board for being willing to approach bargaining in new ways and to work together. Addressing the issue of workload, she said there has been a significant increase in administrative work and faculty members are being pulled away from their students as a result. She said this can cause a great deal of stress, as it did for her prior to her retirement. She said that faculty need to be healthy, happy and focused in order to help students. President Mohr thanked Ms. Harer for her remarks.

Students Iridian Martinez, Alfredo Olguin Jr. and Celeni Cano addressed the Board. On behalf of SMCCCD Rise Up, Ms. Martinez thanked Board members who met and collaborated with students throughout the last semester to draft the resolution affirming the District’s commitment to protecting undocumented students and student privacy which states that “the Board of Trustees is committed to ensuring every student within the District views its three colleges as ‘safe havens’ so that they may learn, live and thrive without fear of discrimination, profiling, targeting or unlawful prosecution.” She thanked the College Presidents for their work on the Dream Centers and the counselors who helped SMCCCD Rise Up students with planning and organizing as a student group. Ms. Martinez said the students have been working on only one of the twelve demands presented at an earlier meeting and will work next on providing around-the-clock access to each campus so that students have a place to work on their studies and homework. Mr. Olguin said
the recent executive orders from the White House have struck fear in many people. He said the resolution including the reference to the Colleges as safe havens is a step in the right direction. He said the other eleven student demands are still to be addressed, including extended access to the campuses. Ms. Cano thanked administrators and faculty who have been and continue to be supportive of students.

NEW BUSINESS

APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (17-1-3A)

It was moved by Vice President Holober and seconded by Trustee Schwarz to approve the actions in the report. The motion carried, all members voting Aye.

APPROVAL OF CONSENT AGENDA

President Mohr said the consent agenda consists of Board Reports 17-1-1CA through 17-1-10CA as listed on the printed agenda. It was moved by Trustee Goodman and seconded by Vice President Holober to approve the items on the consent agenda. Trustee Mandelkern asked that item 17-1-3CA, Approval of Non-Resident Tuition Fee, 2017-18, be removed from the consent agenda for further discussion. The motion to approve the consent agenda with the exception of item 17-1-3CA carried, all members voting Aye.

APPROVAL OF NON-RESIDENT TUITION FEE, 2017-18 (17-1-3CA)

Trustee Mandelkern said that given the uncertainty surrounding the immigration issue and the potential dismantling of protections under AB 540 and the Deferred Action for Childhood Arrivals (DACA) policy, he would like to suggest adding language to the recommendation to state that any student who had formerly been eligible under AB 540 or DACA, and who is subsequently considered to be a non-resident student, be allowed to pay the resident tuition fee. During discussion, the Board agreed to consider this for the 2017-18 year and revisit the item when it comes to the Board for approval next year. Executive Vice Chancellor Blackwood asked if this would apply only to continuing students or would also include students who come to the colleges as new students for the 2017-18 year and would have qualified for resident tuition under AB 540 or DACA. Trustee Mandelkern confirmed that the latter is his intention. It was moved by Trustee Mandelkern and seconded by Trustee Schwarz to add the following sentence to the recommendation: “Any student who had formerly been eligible under either AB 540 or the Deferred Action for Childhood Arrivals Act, but was now found to be required to pay the non-resident student tuition fee, would be allowed to register at the current resident student tuition fee for the 2017-18 year.” The motion carried, all members voting Aye.

Other Recommendations

NOMINATIONS FOR MEMBERSHIP ON THE CALIFORNIA COMMUNITY COLLEGE TRUSTEES (CCCT) BOARD, 2017 (17-1-1B)

It was moved by Trustee Goodman and seconded by Vice President Holober to discuss and approve any nominations. There were no nominations.

ADOPTION OF RESOLUTION NO. 17-1, AFFIRMING THE SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT’S COMMITMENT TO PROTECTING UNDOCUMENTED STUDENTS AND STUDENT PRIVACY (17-1-2B)

It was moved by Student Trustee Zheng and seconded by Vice President Holober to adopt Resolution No. 17-1. Trustee Mandelkern said he regrets that he was not present at the last meeting to participate in the conversation about the resolution. He said he takes this issue rather personally as his ancestors came to this country from Germany. He said they were able to enter without green cards or visas. He said the structure and legalities of today are a relatively recent innovation stemming from the Great Depression of the 1930s. He said, however, that throughout time immigrants have borne the brunt of anger and community outrage and action when economic times become difficult. Trustee Mandelkern said this country has been built on the backs of immigrants. He said all Americans have benefited from the efforts and labors of immigrants but have been too quick to turn their backs on those immigrants when their labor and efforts are no longer necessary.

Trustee Mandelkern said there are approximately 45,000 students in the District who come from a wide variety of backgrounds and are of different colors, different economic status and have different hopes and dreams. He said a small number of the students are now feeling very threatened by what might happen in the not-too-distant future under
government policy. He said he believes the District has a responsibility to make sure that all members of the community feel safe, valued, comfortable and secure in pursuit of their educational goals. Trustee Mandelkern said he is in complete agreement with the sentiments and spirit expressed in the resolution. He said the position and policy of the Board has been made very clearly and should direct the District. He said his only concern would be whether the District or its students could be targeted by putting the resolution in writing.

President Mohr said the Board is part of the leadership structure of the District. He said he believes that when the people for whom leadership is responsible feel threatened, they need to know the position of the leaders. He said that neglecting to clearly state that position results in resentment, confusion, loss of mission, and lack of coherence between leadership’s philosophy and actions. President Mohr said that if leadership’s position is not put in writing, he believes it is not as obvious as it needs to be.

Vice President Holober said he believes the concern expressed by Trustee Mandelkern is a valid concern to consider. However, he said he believes it is important at this point in time to stand up and proclaim loudly, along with many other institutions that can do the same, that the best course of action is to make it as difficult as possible for the current occupant of the White House to do many of the things he has indicated he wishes to do. He said he was encouraged by the three million to four million people who participated in protest marches on January 21. Vice President Holober said he believes that adopting the resolution is the right thing to do, knowing that there are some risks.

Trustee Schwarz said an important lesson she learned during her visit to the Museum of Tolerance is that if you don’t speak out against something you disagree with, you are accepting it. She said she believes the Board understands the fear of students more than do other members of the community and, therefore, must speak out. Trustee Schwarz said she is very proud of the resolution. She added that it does not contain anything that is illegal.

Trustee Goodman said the communities that the District serves are the very communities that do not have the advocacy that the Board represents. He said he believes it is incumbent on the Board to show political courage moving forward, not only through an action to adopt the resolution, but in making sure that the District stands up for and speaks for those communities of concern in other areas as well. Trustee Goodman said he supports the resolution. He said he understands that there is a certain amount of risk but said there is a tremendous amount of risk for the District’s students if the Board does not act.

Trustee Mandelkern said he appreciates hearing the points of view of his fellow Board members. He said he will be happy to join his colleagues in support of the resolution. He said that for the past two months, he has been informing members of the community about the sense of fear among some students and explaining that the fear is very real to them. Trustee Mandelkern said there are many internal contradictions and inequities in immigration laws and to single out one group of people is an overblown simplification of a very complex topic.

President Mohr thanked Trustee Mandelkern for his comments. He said the Board knows how supportive Trustee Mandelkern is and could feel his support when they discussed the proposed resolution at the last meeting.

After this discussion, the motion to adopt the resolution carried, all members voting Aye.

APPROVAL OF REVISIONS TO BOARD POLICIES: 1.02 ORGANIZATION OF THE BOARD; 2.08 DISTRICT PARTICIPATORY GOVERNANCE PROCESS; 2.45 CONFLICT OF INTEREST; 6.13 CURRICULUM DEVELOPMENT, PROGRAM REVIEW, AND PROGRAM VIABILITY; 7.41 DISABLED STUDENTS PROGRAMS AND SERVICES (DSPS); 7.46 ACCESS TO SHOWER FACILITIES (17-1-106B)

It was moved by Trustee Goodman and seconded by Vice President Holober to approve the revisions as detailed in the report. Trustee Mandelkern questioned the addition of the section in Policy 2.45, Conflict of Interest, which states that “the Chancellor shall establish administrative procedures to provide for disclosure of assets or income of Board members who may be affected by their official actions and prevent members from making or participating in the making of Board decisions which may foreseeably have a material effect on their financial interest.” He said he believes the procedures are already in place through the filing of Form 700s with the Fair Political Practices Commission. He said his concern is for the potential unintended consequences of providing more control regarding direct action against individual Board members. Chancellor Galatolo said the addition of the language was recommended by the Community College League of California’s Policy & Procedure Service but is subject to discussion by the Board. Vice President Holober said that when questions regarding potential conflicts of interest arose in the past, the District sought legal advice. He suggested modifying the section to read: “In compliance with law and
regulation, the Chancellor shall establish administrative procedures to provide for disclosure of assets or income of Board members and shall, as necessary, obtain legal advice should a potential conflict of interest occur.” With this modification, the motion to approve the revisions carried, all members voting Aye.

AUTHORIZATION FOR USE OF WSCA-NASPO CONTRACT WITH SSP DATA FOR PURCHASE OF PALO ALTO NETWORK FIREWALLS AND INSTALLATION SERVICES (17-1-107B)

It was moved by Trustee Goodman and seconded by Trustee Mandelkern to authorize use of the contract as detailed in the report. Bruce Griffin, Chief Technology Officer, presented a report on IT Security and the District Firewall Project. He said there are new imperatives in terms of IT security, including responsible handling of Personally Identifiable Information (PII). He said higher education is increasingly a target as hackers gain a better grasp of the industry.

Mr. Griffin discussed traditional firewalls which are designed to “keep the bad guys out” vs. next-generation firewalls which perform intrusion prevention, leverage machine learning to identify new threats, inspect encrypted traffic for threats, and shut down malicious applications.

Mr. Griffin described the Districtwide firewall project which is designed to cover all three internet connections (CSM/District, Cañada College and Skyline College) and includes a spare backup unit and a smaller unit for Menlo Park. The District considered three proposals from Palo Alto Networks, Cisco Systems and Barracuda Networks. Palo Alto Networks scored highest on the Gartner Magic Quadrant’s Leaders list and is considered the best value by staff for the following reasons:
- It is sized right for the institution
- Malicious websites and applications can be blocked
- “Zero Day” attached prevention provides an early alert for threats
- Allows for review of remote users’ systems for safety
- Performed best in on-site tests
- Offers a cohesive, easy to manage product
- Realizes a high adoption within higher education

Trustee Mandelkern asked if Check Point, which is on the Gartner Magic Quadrant’s Leaders list, was evaluated. Mr. Griffin said Check Point was not considered feasible from a market saturation standpoint. Trustee Mandelkern noted that the presentation shows a cost of $689,052 for Palo Alto Networks but the amount requested in the recommendation is an amount not to exceed $900,000. He asked if the additional funds are to be used for software maintenance. Mr. Griffin said the $689,052 includes five years of software maintenance. He said additional funds were requested because staff was considering adding an additional product. However, it is likely that the additional product will not be pursued and the cost will be closer to the $689,052 figure.

Vice President Holober said it is a sad reality that firewall protection is necessary. He said very few of the breaches, identify theft, ransom, etc. are actually reported. He asked if the smccd.edu email addresses are protected through this purchase. Mr. Griffin said the email addresses are protected in another way; they are hosted in the Cloud using Microsoft for faculty and staff addresses and Google for students. Vice President Holober asked if there is vulnerability in that someone who hacks into an smccd.edu account might be able to get inside the entirety of the system. Mr. Griffin said that type of intrusion is difficult to stop. He said it frequently comes in the form of phishing attacks and if users respond, they can give the attackers access. He said the IT Department works very hard to educate people about phishing attacks and sends emails immediately upon discovering a phishing attempt.

Vice President Holober asked if there is liability on the part of Palo Alto Networks if the District’s system is hacked. Mr. Griffin said he will look more closely at the contract and respond to this question. Vice President Holober asked if the District has cybersecurity insurance and, if so, what the nature of the insurance is. Executive Vice Chancellor Blackwood said that on the advice of the District’s broker and working with Mr. Griffin, the District purchased cybersecurity insurance for the first time this year. She said she will check on the details of the policy and provide additional information to the Board.

Vice President Holober said there are systems available by which emails are encrypted. He suggested that establishing this type of system for certain departments and certain records could be another safeguard. Mr. Griffin said that if users are accessing records from offsite, a VPN (Virtual Private Network) is used and is encrypted from point to point. He said the District also has the ability to encrypt email within the Microsoft Office 365 product. He said the District is experimenting with this and is actually using it at Cañada College to communicate with the high schools.
Trustee Mandelkern said he is a shareholder of reporting level in Cisco Systems and, while the Board is not voting on a contract for Cisco Systems, he will abstain in an abundance of caution.

After this discussion, the motion carried, with Trustee Mandelkern abstaining and all other Board members voting Aye.

ADOPTION OF RESOLUTION NO. 17-2 REGARDING BOARD ABSENCE (17-1-108B)
It was moved by Vice President Holober and seconded by Trustee Goodman to adopt Resolution No. 17-2. The motion carried, with Trustee Mandelkern abstaining and all other Board members voting Aye.

BOARD MEMBER COMPENSATION (17-1-109B)
It was moved by Trustee Schwarz and seconded by Vice President Holober to approve five percent increase in Board member compensation as permitted by law. Trustee Mandelkern said he will vote “No” for the reasons he has expressed in previous years. The motion carried, with President Mohr, Vice President Holober, Trustee Goodman and Trustee Schwarz voting Aye and Trustee Mandelkern voting No.

ADOPTION OF RESOLUTION NO. 17-3 HONORING LARRY OWENS (17-1-110B)
It was moved by Trustee Goodman and seconded by Trustee Mandelkern to adopt Resolution No. 17-3. The motion carried, all members voting Aye.

INFORMATION REPORT

FIRST QUARTER REPORT OF AUXILIARY OPERATIONS, 2016-17 (17-1-2C)
The Board accepted the report.

COMMUNICATIONS
President Mohr said the Board received an email from a student regarding the draft resolution affirming the District’s commitment to protecting undocumented students and student privacy which was considered at the meeting of January 11. He said the student was sent a response and all Board members received a copy of the response.

STATEMENTS FROM BOARD MEMBERS
Student Trustee Zheng said he visited the Museum of Tolerance with a group from the Associated Students of Skyline College. He said it was a wonderful experience. Student Trustee Zheng said the three Associated Students groups are working hard to make changes that will benefit their students and are trying to support the SMCCCD Rise Up group as much as they can. President Mohr said it is important that all of the student bodies are concerned and support the general efforts discussed during the last several Board meetings.

Trustee Mandelkern said he supports the efforts of Student Trustee Zheng and the student body leaders. He congratulated President Mohr on his selection as the recipient of the Cornerstone Award. He said he cannot attend the recognition dinner due to a conflicting board meeting, but he agrees completely with the recognition of all of President Mohr’s contributions to San Mateo County, particularly in the area of education.

Vice President Holober said that Craig Ventner, known for sequencing the human genome, is speaking tonight at Mills High School of which he is a graduate. Trustee Mandelkern said Dr. Ventner graciously credits College of San Mateo for turning him around in terms of academics. He said Dr. Ventner also was an endorser of one of the District’s bond measures.

President Mohr said he attended the College Promise Day at Skyline College at which an outstanding series of workshops were held. He said he came away with two major ideas: (1) it is truly feasible in terms of both support and finance and (2) the three Colleges were engaged together on this very important matter. President Mohr said he believes this bodes well for the District’s students and for the future.
ADJOURNMENT
The meeting was adjourned by consensus at 8:30 p.m.

Submitted by

Ron Galatolo, Secretary

Approved and entered into the proceedings of the February 22, 2017 meeting.

Richard Holober, Vice President-Clerk