

**245:2-1-6. Duties of Executive Director ~~and~~, Principal Assistant and Assistant Director**

(a) The Board shall employ an Executive Director who shall be responsible for the administration of the policies of the Board, the processing of its routine operations, and other administrative and ministerial duties as the Board authorizes.

(b) The Board ~~shall~~ may employ a Principal Assistant and/or an Assistant Director for the Board, who shall not be a ~~members~~ of the Board, and may be a ~~Professional Engineer(s) and/or Land Surveyors~~. The Principal Assistant's duties shall be to assist the Executive Director in the administration of the policies of the Board and other administrative and ministerial duties as the Board authorizes. The Principal Assistant and/or Assistant Director shall act on behalf of the Executive Director in the absence of the Executive Director.

(c) The Board shall furnish the Executive Director ~~and Principal Assistant~~ the necessary equipment, supplies and ~~clerical~~ administrative assistance, paying for same as prescribed herein and by law.

(d) The Executive Director or his/her designee ~~and Principal Assistant~~ shall make available to the Public for inspection at its official published address, all public records of the Board, and shall accept submissions and requests at said location.

(e) The Executive Director shall present monthly reports to the Board for the "Professional Engineers and Land Surveyors Fund", and any other authorized funds, which shall show all funds received and disbursed from the fund.

**245:2-1-13. Confidential records**

- (a) Prior to presentation to the Board for formal or informal adjudication, files of investigations in progress shall be deemed not subject to the Open Records Act and therefore, confidential. Files of investigation that are confidential shall not be subject to disclosure to the extent such files would not be discoverable under state law, are protected by an evidentiary privilege, contain the record of a lawfully constituted executive session, or contain the personal notes or personally created materials of a public official prior to taking action, or contain materials otherwise exempt from disclosure or discovery under applicable laws.
- (b) Files of investigations in progress as referenced in this Section, shall mean any record, as defined by 51 O.S. 1991, Section 24A.3 and any amendments thereto pertaining to alleged violations of the Act or the Rules in this Chapter, by an individual, firm, partnership, association, corporation or entity prior to presentation to the Board for formal or informal adjudication.
- (c) Upon written request, the Board or Board staff will examine its investigation files to determine the extent to which material contained in the file of an investigation in process should be deemed not confidential and, therefore, may be disclosed. In all cases, the Board will confirm a complaint has or has not been received and that an investigation is in progress.
- (d) Other Board records and papers that may be kept confidential according to Title 59, Section 475.10(D): examination materials, file records of examination problem solutions, exam scores or results, letters of inquiry and reference concerning applicants, transcripts of college courses and grades, e-mail addresses, ongoing investigation files, closed complaints, information otherwise protected by law and all other matters of like confidential nature.