

## SUBCHAPTER 07E – NOTARY INSTRUCTOR REQUIREMENTS

### SECTION .0100 – NOTARY INSTRUCTOR APPLICATION REQUIREMENTS

#### 18 NCAC 07E .0101 INSTRUCTOR CERTIFICATION – SCOPE

- (a) Except as otherwise provided in G.S. 10B-14 and this Section, notaries public shall comply with all requirements for certification or recertification as a notary public instructor as set forth in this Chapter.
- (b) A notary public who is a licensed member of the North Carolina State Bar shall comply with all requirements of this Chapter in order to obtain certification or recertification as a notary public instructor.

*History Note:* Authority G.S. 10B-8; 10B-14;  
Eff. January 1, 2008;  
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#### 18 NCAC 07E .0102 RESERVED FOR FUTURE CODIFICATION

#### 18 NCAC 07E .0103 RESERVED FOR FUTURE CODIFICATION

#### 18 NCAC 07E .0104 FEES

- (a) The fee required by G.S. 10B-14 for certification and recertification as a notary public instructor shall be paid in accordance with Rule .0105 of this Chapter.
- (b) A person asserting that he or she is not required to submit a fee pursuant to G.S. 10B-14(c) shall include verification that as of the date of application the applicant is currently employed as a register of deed, clerk of court or is the Director or an authorized employee of the Secretary as set forth in G.S. 10B-14(c).
- (c) The Secretary may refuse to administer the notary public instructor certification examination to an applicant who has failed to pay the fee required for certification or recertification as a notary public instructor before the examination date.

*History Note:* Authority G.S. 10B-8; 10B-14;  
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#### 18 NCAC 07E .0105 INSTRUCTOR CERTIFICATION - GENERAL

Applicants for notary public instructor certification shall:

- (1) Complete the Department's notary public instructor application form and submit it to the Department;
- (2) Comply with the requirements of Rule .0708 through Rule .0711 of this Chapter regarding verification of 12 months of experience;
- (3) Comply with the requirements of Rule .0712 of this Chapter regarding recommendations;
- (4) Comply with the requirements of Rule .0713 of this Chapter regarding an oral presentation of a notary public course curriculum lesson;
- (5) Make a passing grade on the final examination in the notary public instructor certification course as set forth in Rule .0714 of this Chapter; and
- (6) Except as otherwise provided in G.S. 10B-14(c) and Rule .0705 of this Chapter, pay the required fee.

*History Note:* Authority G.S. 10B-8; 10B-14;  
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**18 NCAC 07E .0106 TIMING OF INSTRUCTOR CERTIFICATION APPLICATION**

An application for notary public instructor certification or recertification shall not be submitted to the Division during the period of any sanction issued by the Division.

*History Note: Authority G.S. 10B-8; 10B-14;  
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**18 NCAC 07E .0107 DEPARTMENT REJECTION OF APPLICATIONS**

The Department shall reject a notary instructor certification or recertification application which is received:

- (1) While an investigation into the applicant's performance of the duties of a notary public or notary public instructor is open; or
- (2) During the period of any sanction issued by the Division.

*History Note: Authority G.S. 10B-8; 10B-14;  
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**18 NCAC 07E .0108 VERIFICATION THAT APPLICANT CONTINUES TO MEET REQUIREMENTS FOR A NOTARY COMMISSION**

An applicant for notary public instructor certification or recertification shall verify that:

- (1) The applicant continues to meet each of the qualifications for a notary commission found in G.S. 10B-5 and 10B-7; and
- (2) With regard to changes requiring notification to the Division pursuant to Rule .0107 of this Chapter, verify:
  - (a) That there have been no changes requiring notification to the Department;
  - (b) That there have been changes requiring notification to the Department and that the applicant has made all required notifications; or
  - (c) That there have been changes requiring notification to the Department and the applicant has not previously made the required notification to the Department but is including the notification with the application.

*History Note: Authority G.S. 10B-8; 10B-14;  
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**18 NCAC 07E .0109 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0110 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0111 OTHER VERIFICATIONS**

An applicant for notary public instructor certification shall verify that he or she:

- (1) Possesses and has read the current notary public guidebook; and
- (2) Has read Chapter 10B of the General Statutes and this Chapter.

*History Note: Authority G.S. 10B-8; 10B-14;  
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**18 NCAC 07E .0112 RECOMMENDATIONS**

A notary public instructor certification applicant shall submit three recommendations on the Division's recommendation form from persons unrelated to the applicant by birth, marriage or adoption.

*History Note: Authority G.S. 10B-8; 10B-14;  
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**SECTION .0200 – NOTARY INSTRUCTOR APPLICANT VERIFICATION OF EXPERIENCE**

**18 NCAC 07E .0201 EVIDENCE OF MINIMUM EXPERIENCE**

- (a) For purposes of these Rules a notarial act is an act set out in G.S. 10B-20(a).
- (b) For purposes of demonstrating the experience required by G.S. 10B-14(a)(2), an applicant shall show evidence of performing notarial acts during each month of the 12 months immediately preceding the application to become a certified notary instructor.
- (c) Evidence of performance of notarial acts shall be presented by one of the methods set forth in Rule .0709 through Rule .0711 of this Chapter.

*History Note: Authority G.S. 10B-8; 10B-14;  
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**18 NCAC 07E .0202 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0203 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0204 JOURNAL AS EVIDENCE OF EXPERIENCE**

- (a) An applicant for notary public instructor certification may submit a journal of notarial acts as evidence of experience performing notarial acts.
- (b) The submitted journal shall, at a minimum, include:
  - (1) The dates on which notarial acts were performed;
  - (2) The type of notarial act performed; and
  - (3) The name(s) of the party(ies) for whom each notarial act was performed.
- (c) The applicant shall submit an affidavit verifying that the information in the journal submitted in compliance with this Rule is true and correct.

*History Note: Authority G.S. 10B-8; 10B-14;  
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**18 NCAC 07E .0205 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0206 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0207 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0208 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0209 EMPLOYER AFFIDAVIT AS EVIDENCE OF EXPERIENCE**

- (a) An applicant for notary public instructor certification may submit an affidavit from his or her employer verifying that the applicant has had experience performing notarial acts.
- (b) The submitted affidavit shall, at a minimum, include the following:
- (1) The name of the corporation, business, individual or entity employing the applicant;
  - (2) The full name of the person verifying the applicant's experience;
  - (3) The authority of the person to verify the applicant's experience, including his or her title;
  - (4) The address, telephone number and, if applicable, email address of the person verifying the applicant's experience;
  - (5) A narrative description of the reasons the applicant has performed notarial acts while employed by the person or entity submitting the affidavit; and
  - (6) Verification that the applicant has performed at least one notarial act during each of the 12 immediately preceding months.
- (c) The submitted affidavit may also contain a recommendation pursuant to Rule .0712 of this Chapter.

*History Note:* Authority G.S. 10B-8; 10B-14;  
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**18 NCAC 07E .0210 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0211 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0212 ALTERNATIVE EVIDENCE OF EXPERIENCE**

An applicant for notary public instructor certification may submit evidence of experience performing notarial acts other than a journal or employer affidavit, provided the evidence includes:

- (1) An affidavit from the applicant verifying that the applicant has performed at least one notarial act in each of the 12 immediately preceding months; and
- (2) An affidavit from at least one person unrelated to the applicant by birth, marriage or adoption which establishes that the applicant has performed at least one notarial act during each of the 12 months immediately preceding the application.

*History Note:* Authority G.S. 10B-8; 10B-14;  
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**SECTION .0300 – NOTARY INSTRUCTOR EDUCATION**

**18 NCAC 07E .0301 RESERVED FOR FUTURE CODIFICATION**

**18 NCAC 07E .0302 NOTARY PUBLIC INSTRUCTOR CERTIFICATION AND RECERTIFICATION EXAMINATIONS**

- (a) A passing grade on the notary public instructor certification or recertification final examination shall be 90 percent.
- (b) A notary public instructor certification or recertification applicant who fails to achieve a passing grade on the final examination may apply to take the test one additional time within three months.

*History Note:* Authority G.S. 10B-8; 10B-14;  
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**18 NCAC 07E .0303 ORAL PRESENTATION REQUIREMENT FOR APPLICANT**

- (a) A notary public instructor certification student shall provide an oral presentation of a section of the notary public curriculum which shall be evaluated according to the standards set forth in Paragraph (c) of this Rule.
- (b) A passing grade on the notary public instructor certification oral presentation shall be 80 percent.
- (c) The oral presentation of a notary public instructor certification student shall be graded for instructional ability using standards including the notary public instructor student's:
  - (1) Voice quality (projection, articulation, speech rate);
  - (2) Verbal skill (fluency and clarity);
  - (3) Physical appearance and mannerisms (attire, posture, body language, eye contact, movement) to project a professional demeanor;
  - (4) Professional qualities of the instructor (knowledge, self-confidence, tact, enthusiasm, sensitivity);
  - (5) Selection and use of training aids (use of writing surface and other aids, effective use of multimedia, transparencies, and slides, relates aids to objectives, and use of aids when scheduled);
  - (6) Presentation of information in logical sequence;
  - (7) Timing of presentation to allow for sufficient time for questions and discussion;
  - (8) Transition of subjects with continuous progression and development of lesson;
  - (9) Emphasis of key points and frequent summarization of topics to entire lesson or course and use of examples to clarify the subjects;
  - (10) Frequent establishment of relevance of the topics to entire lesson or course and use of examples to clarify the subjects; and
  - (11) Following the Division's notary public curriculum.
- (d) A notary public instructor student who fails the oral presentation portion of the notary public instructor certification course may schedule one additional oral presentation within three months of the failure to complete the oral presentation requirement as required by Paragraph (b) of this Rule.

*History Note: Authority G.S. 10B-8; 10B-14;  
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**SECTION .0400 – RESERVED FOR FUTURE CODIFICATION**

**SECTION .0500 – RESERVED FOR FUTURE CODIFICATION**

**SECTION .0600 – NOTARY INSTRUCTOR TEACHING OBLIGATIONS**

**18 NCAC 07E .0601 MINIMUM INSTRUCTIONAL DUTIES OF CERTIFIED NOTARY PUBLIC INSTRUCTORS**

- (a) A certified notary public instructor shall verify the identity of each student during the first instructional period and again prior to administration of the notary public examination by requiring satisfactory evidence of identity as defined in G.S. 10B-3(22)(a).
- (b) A certified notary public instructor shall follow the Division supplied curriculum for notary public instruction unless the instructor has been granted approval by the Division for a variance.
- (c) While performing their duties as certified notary public instructors, certified instructors shall comply with applicable State and federal laws relating to adult education.
- (d) When administering the notary public examination, a certified notary public instructor shall take steps to prevent cheating by students taking the notary public examination.
- (e) When administering the notary public examination, a certified notary public instructor shall report to the Division within two business days if the instructor has reason to believe that there has been cheating on a notary public examination by any student, and shall provide:
  - (1) The name, address and contact information for any student suspected of cheating; and
  - (2) A narrative description of the instructor's reasons for believing cheating may have occurred.
- (f) Notary public instructors shall submit student notary public examination grades to the Division within two business days after the examination has been administered.

(g) A notary public instructor shall demonstrate a professional demeanor at all times during instruction and administration of the duties of a certified notary public instructor.

(h) A notary public instructor shall not use profanity or obscene language when instructing the notary public course or administering the notary public examination.

*History Note: Authority G.S. 10B-8; 10B-14;  
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## **SECTION .0700 – NOTARY INSTRUCTOR CONTINUING OBLIGATIONS**

### **18 NCAC 07E .0701 ADDITIONAL REQUIREMENTS**

If the Division receives information or a complaint that gives reason to question the notary public instructor's eligibility or ability to perform the duties of a notary public instructor, the Division may require the notary public instructor to:

- (1) Submit to an interview;
- (2) Submit additional information; or
- (3) Submit audio and visual documentation such as a video of actual instruction.

*History Note: Authority G.S. 10B-8; 10B-14;  
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## **SECTION .0800 – RESERVED FOR FUTURE CODIFICATION**

## **SECTION .0900 – RESERVED FOR FUTURE CODIFICATION**

## **SECTION .1000 – NOTARY INSTRUCTOR EVALUATION**

### **18 NCAC 07E .1001 EVALUATIONS OF INSTRUCTION**

(a) If the employer of a certified notary public instructor conducts a written performance evaluation of the instructor at least once per calendar year, the instructor shall submit a copy of the performance evaluation to the Department within 30 days after receipt of the written performance evaluation from the employer.

(b) If the employer of a certified notary public instructor does not conduct a written performance evaluation of the instructor at least once per calendar year, the instructor shall:

- (1) Require that his or her notary public course students in one class each calendar year complete the Division's student evaluation of notary public course instructor form; and
- (2) Shall submit copies of all completed student evaluation forms to the Division within 30 days of receipt of the completed forms.

(c) The Department may conduct evaluations of instructional performance of certified notary public instructors by methods including:

- (1) Surveys of notary public students;
- (2) Requests for audio-visual recordings of courses; and
- (3) Observation of classroom instruction.

*History Note: Authority G.S. 10B-8; 10B-14;  
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## **SECTION .1100 – NOTARY INSTRUCTOR RE-CERTIFICATION**

### **18 NCAC 07E .1101 ELIGIBILITY FOR RE-CERTIFICATION AS NOTARY PUBLIC INSTRUCTOR**

A notary public instructor shall not be eligible for recertification as a notary public instructor if the notary public instructor:

- (1) Has failed to submit notary public student examination grades or notary public instructor evaluations to the Division as required by Rules .0716 and .0717 of this Chapter;
- (2) Has been subject to disciplinary action by the Division in relation to:
  - (a) The performance of notary public duties pursuant to Chapter 10B of the General Statutes or this Chapter; or
  - (b) The performance of notary public instructor duties; or
- (3) Has failed to comply with other requirements imposed upon a notary or notary public instructor pursuant to law or rule.

*History Note:* Authority G.S. 10B-8; 10B-14;  
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### **18 NCAC 07E .1102 NOTARY PUBLIC INSTRUCTOR RE-CERTIFICATION REQUIREMENTS**

An applicant for recertification as a notary public instructor shall:

- (1) Complete the Department's notary public instructor application form and submit it to the Department;
- (2) Comply with the requirements of Rule .0708 through Rule .0711 of this Chapter regarding verification of 12 months of experience performing notarial acts;
- (3) Comply with the requirements of Rule .0713 of this Chapter regarding an oral presentation of a notary public course lesson;
- (5) Make a passing grade on the final examination in the notary public instructor certification recertification course as set forth in Rule .0714 of this Chapter;
- (6) Except as otherwise provided in Rule .0705 of this Chapter, pay the required fee; and
- (7) Submit an affidavit verifying that the applicant has taught the notary public instructor course at least twice a year during the two-year certification period.

*History Note:* Authority G.S. 10B-8; 10B-14;  
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### **18 NCAC 07E .1103 DENIAL OF NOTARY PUBLIC INSTRUCTOR CERTIFICATION OR RE-CERTIFICATION**

An application for notary public instructor certification or recertification may be denied:

- (1) For any reason for which an application for commissioning or re-commissioning of a notary public may be denied; or
- (2) If an applicant no longer meets the requirements or fails to comply with the requirements to be a certified notary public instructor.

*History Note:* Authority G.S. 10B-8; 10B-14;  
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