

SUBCHAPTER 07E – NOTARY INSTRUCTOR REQUIREMENTS

SECTION .0100 – NOTARY INSTRUCTOR APPLICATION REQUIREMENTS

18 NCAC 07E .0101 INSTRUCTOR CERTIFICATION – SCOPE AND DEFINITIONS

(a) This Subchapter sets the requirements for certification and recertification as a notary instructor and for requesting that the Department offer certified notary instructor courses.

(b) For purposes of this Subchapter:

- (1) "Active experience as a notary" means either:
 - (A) performance in North Carolina of at least 1 notarial act in each of the immediately preceding 12 months; or
 - (B) active experience as a certified notary instructor.
- (2) "Active experience as a certified notary instructor" means teaching at least two notary courses for each of the two 12-month periods during which an instructor holds an instructor certification.
- (3) "Affidavit of moral character form" means the form specified in 18 NCAC 07B .0408.
- (4) "Eligible institution" or "institution" means:
 - (A) a community college established pursuant to G.S. 115D-4;
 - (B) a constituent institution of the University of North Carolina established pursuant to G.S. 116-4;
 - (C) an eligible private postsecondary institution as defined by G.S. 116-280(3); or
 - (D) a public school system authorized to conduct adult education programs pursuant to G.S. 115C-231.
- (5) "Instructor applicant" means an applicant for initial certification or for recertification as a notary instructor.
- (6) "Instructor application form" means the form specified in 18 NCAC 07B .0414.
- (7) "Instructor course" means the initial notary public instructor certification course and the recertification course.
- (8) "Instructor recertification application form" means the form specified in 18 NCAC 07B .0418.
- (9) "Recommendation form" means the form specified in 18 NCAC 07B .0415.
- (10) "Successfully complete" means, when used to describe an instructor applicant, that an instructor applicant has complied with Chapter 10B and the rules in this Subchapter and has:
 - (A) presented satisfactory evidence of identity;
 - (B) attended a notary instructor certification or recertification course; and
 - (C) achieved passing grades on the written and oral instructor certification or recertification course exams.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0701 Eff. June 1, 2023;
Amended Eff. July 1, 2024.

18 NCAC 07E .0102 CONDITIONS FOR BECOMING NOTARY INSTRUCTOR

A commissioned notary public may become a certified notary instructor upon meeting the following conditions:

- (1) an eligible institution nominates the notary to the Department by written request pursuant to Rule .0103 of this Section; and
- (2) the Department determines that the nominee meets the criteria in G.S. 10B-14 and the rules in this Subchapter.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0103 NOMINATION BY ELIGIBLE INSTITUTION

An eligible institution may nominate a notary public to be certified as a notary instructor by:

- (1) submitting a written request to the Department addressed to the Director; and

- (2) including in its request:
 - (a) the full name of the institution;
 - (b) a request that the nominated notary be enrolled in an instructor course;
 - (c) the name of the proposed notary instructor as it appears on the notary's commission;
 - (d) a statement that the nominated instructor has consented to be nominated and has been directed to contact the Department to request an application form;
 - (e) the name, title, signature, and contact information for the individual submitting the request;
 - (f) the name and contact information for the notary course administrator of the institution, if different from the individual submitting the request;
 - (g) the date of the request; and
 - (h) a statement that upon certification as a notary instructor, the nominee will be employed by the institution as a certified notary instructor.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0104 FEE - EXEMPTION AND FAILURE TO PAY

(a) An instructor applicant who asserts exemption from the fee pursuant to G.S. 10B-14(c) shall certify on the instructor certification or recertification application form that as of the date of application, the applicant is currently employed as:

- (1) a register of deeds;
- (2) a clerk of court; or
- (3) an employee of the Department and is authorized by the Secretary to teach notary courses as set forth in G.S. 10B-14(c).

(b) The Department shall refuse to administer the notary public instructor certification exam to an applicant who has failed to pay the fee required for certification or recertification as a notary instructor before the exam date.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0705 Eff. June 1, 2023;
Amended Eff. July 1, 2024.

18 NCAC 07E .0105 GENERAL REQUIREMENTS

An applicant for initial notary instructor certification shall:

- (1) be nominated by an eligible institution;
- (2) complete and submit the Department's notary instructor application form specified in 18 NCAC 07B .0414;
- (3) provide proof of active experience as a notary public using any combination of the methods set out in Section .0200 of this Subchapter;
- (4) submit three recommendations supporting the applicant from nonfamily members in compliance with Rule .0112 of this Section;
- (5) have read:
 - (a) Chapter 10B of the General Statutes;
 - (b) the rules in this Chapter; and
 - (c) the current edition of the approved notary manual for traditional notaries; and
- (6) successfully complete the notary instructor course.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0702 Eff. June 1, 2023;
Amended Eff. March 1, 2025.

18 NCAC 07E .0106 MANDATORY DEPARTMENT DENIAL OF INSTRUCTOR APPLICATION

The Department shall deny a notary instructor certification or recertification application if any of the following apply:

- (1) the applicant has not held a notary commission for at least one calendar year;
- (2) the applicant does not have active experience as a notary public;
- (3) an investigation is pending into the applicant's performance of the duties as a notary, an electronic notary public, or a notary public instructor;
- (4) the applicant has not completed the conditions of any disciplinary action issued by the Department; or
- (5) any reason for which a notary commission may be denied pursuant to Chapter 10B of the General Statutes or the rules in this Chapter.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0703 Eff. June 1, 2023;
Amended Eff. July 1, 2024.

18 NCAC 07E .0107 DEPARTMENT REJECTION OF APPLICATIONS

History Note: Authority G.S. 10B-8; 10B-14;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0704 Eff. June 1, 2023;
Repealed Eff. July 1, 2024.

18 NCAC 07E .0108 VERIFICATION THAT INSTRUCTOR APPLICANT CONTINUES TO MEET REQUIREMENTS FOR A NOTARY COMMISSION

An instructor applicant shall verify under penalty of perjury on the instructor application form specified in 18 NCAC 07B .0414 that:

- (1) the information on the application is true and complete; and
- (2) the applicant will perform the responsibilities of a certified notary instructor as set out in Chapter 10B of the General Statutes and the rules in this Chapter to the best of the applicant's ability.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0706 Eff. June 1, 2023;
Amended Eff. March 1, 2025.

18 NCAC 07E .0109 CHANGE IN INSTRUCTOR'S ELIGIBLE INSTITUTION

(a) Within 45 days of a change in the eligible institution listed on the notary instructor application, an instructor applicant or certified notary instructor shall notify the Department in writing of:

- (1) the change in eligible institution;
- (2) the date that the change is effective; and
- (3) the name and contact information for the notary course administrator at the eligible institution.

(b) For purposes of this Rule, "change in the eligible institution" means:

- (1) that the applicant or certified notary instructor will not teach at the institution named in the application; or
- (2) that the applicant or certified notary instructor will teach at another institution.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;

Eff. July 1, 2024.

18 NCAC 07E .0110 RESERVED FOR FUTURE CODIFICATION

18 NCAC 07E .0111 OTHER VERIFICATIONS

*History Note: Authority G.S. 10B-8; 10B-14;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0707 Eff. June 1, 2023;
Repealed Eff. July 1, 2024.*

18 NCAC 07E .0112 RECOMMENDATIONS

An instructor applicant shall include three recommendations from individuals who are not family members of the applicant. The recommendations shall be submitted on the Department's recommendation form specified in 18 NCAC 07B .0415.

For purposes of this Rule, either the applicant or the individual making the recommendation may submit the recommendation form to the Department.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0712 Eff. June 1, 2023;
Amended Eff. July 1, 2024.*

18 NCAC 07E .0113 INSTRUCTORS AS REGISTERED ELECTRONIC NOTARIES

An instructor applicant shall:

- (1) be a registered electronic notary public at the time of application; or
- (2) comply with all requirements for registration as an electronic notary within three months of successfully completing the instructor certification course.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.*

SECTION .0200 – INSTRUCTOR APPLICANT VERIFICATION OF EXPERIENCE

18 NCAC 07E .0201 EVIDENCE OF ACTIVE EXPERIENCE AS A NOTARY

Active experience as a notary public shall be established by the applicant pursuant to the rules in this Section by presenting any combination of the following evidence:

- (1) journal entries;
- (2) employer affidavits; or
- (3) an alternative method as set out in the rules in this Section.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0708 Eff. June 1, 2023;
Amended Eff. July 1, 2024.*

18 NCAC 07E .0202 JOURNAL AS EVIDENCE OF ACTIVE EXPERIENCE

An instructor applicant may present evidence of active experience as a notary public by submitting:

- (1) a complete copy of a journal for the year immediately preceding the date on which the application is submitted; and

- (2) an affidavit under oath that the entries in the journal submitted are accurate.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0203 RESERVED FOR FUTURE CODIFICATION

18 NCAC 07E .0204 MINIMUM CONTENTS OF NOTARY JOURNAL SUBMITTED AS EVIDENCE OF EXPERIENCE

A journal of notarial acts submitted as evidence of active experience as a notary public shall comply with 18 NCAC 07I.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0709 Eff. June 1, 2023;
Amended Eff. July 1, 2024.

18 NCAC 07E .0205 EMPLOYER AFFIDAVIT AS EVIDENCE OF EXPERIENCE

An employer affidavit submitted as evidence of active experience as a notary public shall be submitted on the form specified in 18 NCAC 07B .0416.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. March 1, 2025.

18 NCAC 07E .0206 EMPLOYER AFFIDAVIT REGARDING NOTARIAL ACTS FOR EMPLOYER

An employer affidavit submitted pursuant to Rule .0205 of this Section:

- (1) shall refer to notarial acts performed for the employer; and
- (2) may refer to other notarial acts of the instructor applicant of which the employer affiant is personally aware.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. March 1, 2025.

18 NCAC 07E .0207 EMPLOYER AFFIDAVIT MAY INCLUDE RECOMMENDATION

An employer submitting an affidavit pursuant to Rule .0205 of this Section may include as an attachment a recommendation from the employer made pursuant to Rule .0112 of this Subchapter.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. March 1, 2025.

18 NCAC 07E .0208 RESERVED FOR FUTURE CODIFICATION

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

An instructor applicant who relies upon an employer affidavit pursuant to Rule .0205 of this Section shall either submit it to the Department or have the employer affiant directly submit it to the Department.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0710 Eff. June 1, 2023;
Amended Eff. March 1, 2025.

18 NCAC 07E .0210 RESERVED FOR FUTURE CODIFICATION

18 NCAC 07E .0211 RESERVED FOR FUTURE CODIFICATION

18 NCAC 07E .0212 ALTERNATIVE AFFIDAVITS AS EVIDENCE OF EXPERIENCE

An instructor applicant may submit evidence of active experience as a notary public that is not a journal or employer affidavit if:

- (1) the evidence consists of one or more affidavits from nonfamily members that comply with Rule .0213 of this Section and that together establish that the instructor applicant has active experience as a notary; and
- (2) an affidavit from the instructor applicant that complies with Rule .0214 of this Section.

History Note: *Authority G.S. 10B-4; 10B-14; 10B-134.21;*
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0711 Eff. June 1, 2023;
Amended Eff. July 1, 2024.

18 NCAC 07E .0213 AFFIDAVIT OF EXPERIENCE FROM NONFAMILY MEMBER

An instructor applicant who submits alternative evidence of experience pursuant to Rule .0212 of this Section shall submit an affidavit from at least one individual who is not a family member that includes:

- (1) the applicant's commission name;
- (2) the affiant's printed name;
- (3) the affiant's address, telephone number, and email address;
- (4) a brief explanation describing how the affiant knows the applicant;
- (5) each month and year in which the affiant knows that the applicant performed at least one notarial act;
- (6) an explanation of how the affiant knows that at least one notarial act was performed during each of the months listed in response to Item (5) of this Rule;
- (7) the signature of the affiant and the date on which the affiant signed; and
- (8) a jurat certificate.

History Note: *Authority G.S. 10B-4; 10B-14; 10B-134.21;*
Eff. July 1, 2024.

18 NCAC 07E .0214 ALTERNATIVE EVIDENCE AFFIDAVIT FROM INSTRUCTOR APPLICANT

An instructor applicant who presents alternative evidence of active experience as a notary public pursuant to Rule .0212 of this Section shall submit the applicant's own affidavit consisting of:

- (1) the applicant's commission name;
- (2) a declaration of the applicant's active experience as a notary public;
- (3) an explanation for how the applicant knows that at least 1 notarial act was performed in each of the 12 months preceding the application;
- (4) the signature of the applicant and the date on which the applicant signed; and
- (5) a jurat certificate.

Note: To satisfy Item (3) of this Rule, the applicant might refer to a calendar with notes of notarial acts.

History Note: *Authority G.S. 10B-4; 10B-14; 10B-134.21;*
Eff. July 1, 2024.

SECTION .0300 – NOTARY INSTRUCTOR EDUCATION

18 NCAC 07E .0301 INSTRUCTOR COURSE REQUIREMENT

An instructor applicant shall attend the entirety of, and successfully complete, a North Carolina notary instructor course approved by the Department.

History Note: *Authority G.S. 10B-4; 10B-14; 10B-134.21;*

Eff. July 1, 2024.

18 NCAC 07E .0302 NOTARY INSTRUCTOR CERTIFICATION AND RECERTIFICATION EXAM PASSING SCORE

A passing score shall be 90 percent or higher on each of the notary instructor certification and recertification written exams.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0714 Eff. June 1, 2023;
Amended Eff. July 1, 2024.*

18 NCAC 07E .0303 ORAL PRESENTATION REQUIREMENT FOR INSTRUCTOR APPLICANT

As part of the notary instructor course exam, a notary instructor applicant shall make an oral presentation that complies with the rules in this Section by presenting on a notary public curriculum topic selected by the applicant from a list provided by the Department.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0713 Eff. June 1, 2023;
Amended Eff. July 1, 2024.*

18 NCAC 07E .0304 NOTARY INSTRUCTOR ORAL PRESENTATION PASSING SCORE

The Department or its designee shall evaluate the oral presentation portion of the instructor exam on a pass-fail basis using the factors in Rules .0306 through .0312 of this Section.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.*

18 NCAC 07E .0306 FACTORS RELATING TO VOICE

An instructor applicant's oral presentation shall be evaluated on voice quality, consisting of projection, diction, pitch, and rate of speech.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.*

18 NCAC 07E .0307 FACTORS RELATING TO VERBAL SKILL

An instructor applicant's oral presentation shall be evaluated on verbal skill, consisting of fluency, clarity, and vocabulary appropriate for the audience.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.*

18 NCAC 07E .0308 FACTORS RELATING TO PHYSICAL APPEARANCE AND MANNERISMS

An instructor applicant's oral presentation shall be evaluated on professional appearance and mannerisms. For purposes of this Rule, "professional appearance and mannerisms" means:

- (1) attire appropriate to the adult education setting. Note: Professional and office casual attire are examples of appropriate attire; and
- (2) posture, body language, eye contact, and movement that projects a professional demeanor that will engage the students.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;

Eff. July 1, 2024.

18 NCAC 07E .0309 FACTORS RELATING TO PROFESSIONAL QUALITIES OF THE INSTRUCTOR

An instructor applicant's oral presentation shall be evaluated on the applicant's professional qualities. For purposes of this Rule, "professional qualities" means the applicant's demonstration of:

- (1) knowledge of the notary course curriculum, the notary manual, Chapter 10B of the General Statutes, and the rules in this Chapter;
- (2) projection of confidence in presenting the materials, admitting areas of uncertainty and willingness to get and provide answers;
- (3) tact and sensitivity that respects individuals while also respecting the time of the other students when responding to questions or issues that arise in the class; and
- (4) enthusiasm for the subject matter and for teaching, so that students are engaged.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.*

18 NCAC 07E .0310 FACTORS RELATING TO SELECTION AND USE OF TRAINING AIDS

An instructor applicant's oral presentation shall be evaluated on the applicant's selection and use of technology and training aids, such as the applicable notary manual and approved handouts and instructional videos.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.*

18 NCAC 07E .0311 FACTORS RELATING TO SEQUENCE

An instructor applicant's oral presentation shall be evaluated on the applicant's presentation of information in a logical sequence. For purposes of this Rule, "presentation of information in logical sequence" means the applicant:

- (1) follows in order the curriculum and lesson plan provided by the Department;
- (2) transitions without effort between topics; and
- (3) returns to the initial sequence after appropriately addressing the student's issue if a student raises an issue out of order.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.*

18 NCAC 07E .0312 FACTORS RELATING TO EMPHASIS, EXAMPLES, AND SUMMARIZATION

An instructor applicant's oral presentation shall be evaluated on the applicant's:

- (1) emphasis on key points;
- (2) use of examples relevant to the topic of the presentation; and
- (3) summarization of topics.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.*

SECTION .0400 – CONSEQUENCES OF FAILING INSTRUCTOR'S EXAM

18 NCAC 07E .0401 RETAKING WRITTEN CERTIFICATION OR RECERTIFICATION EXAM

An instructor applicant who fails the written certification or recertification exam may schedule one additional written exam within one month of the date of the failed exam by:

- (1) making a written request to the Department addressed to the Director; and
- (2) submitting the request within one week of the date of the failed written exam.

*History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.*

18 NCAC 07E .0402 CONSEQUENCE OF FAILING TO PASS WRITTEN INSTRUCTOR EXAM

An instructor applicant who fails to pass the written instructor exam within one month of the date on which the written exam is first taken and wishes to become a certified instructor shall comply again with Rule .0105 of this Subchapter.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. March 1, 2025.

18 NCAC 07E .0403 SCHEDULING ADDITIONAL ORAL PRESENTATION UPON FAILURE

An instructor applicant who fails to pass the oral presentation may schedule one additional oral presentation by:

- (1) making a written scheduling request to the Department addressed to the Director;
- (2) submitting the request within one week of the date of the failed oral presentation; and
- (3) making the second oral presentation within one month of the date on which the first oral presentation was made.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0404 REPEAT ORAL PRESENTATION

An instructor applicant who schedules an additional oral presentation pursuant to Rule .0403 of this Section shall make a presentation on a topic selected by the Department from the notary instructor curriculum.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0405 EVALUATION OF REPEAT ORAL PRESENTATION

An instructor applicant who makes an additional oral presentation pursuant to Rule .0404 of this Section shall be evaluated pursuant to the factors set out in Section .0300 of this Subchapter.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0406 CONSEQUENCE OF FAILING TO PASS SECOND ORAL PRESENTATION

An instructor applicant who fails to pass the second oral presentation within the time set in Rule .0403 of this Section and who wishes to become a certified instructor shall comply again with Rule .0105 of this Subchapter.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0407 CONSEQUENCES OF FAILING TO RECERTIFY

An instructor applicant who does not comply with the requirements for instructor recertification before expiration of the existing certification shall:

- (1) notify the institutions at which the instructor taught prior to the expiration; and
- (2) not teach a notary course before becoming certified as a notary instructor again.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

SECTION .0600 – NOTARY INSTRUCTOR TEACHING OBLIGATIONS

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

(a) A certified notary instructor shall verify the identity of each student in a notary course during the first instructional period by:

- (1) requiring satisfactory evidence of identity as defined in G.S. 10B-3(22)a; or
- (2) having personal knowledge of the student as defined in G.S. 10B-3(17).

(b) A certified notary instructor shall verify the identity of each student in a traditional notary course again prior to signing the application of a traditional notary applicant.

(c) A certified instructor shall comply with the eligible institution's requirements regarding audits of courses, provided that the instructor shall not permit a student who is auditing to:

- (1) see or take the notary course exam; or
- (2) remain in the classroom during the notary course exam.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
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Amended Eff. July 1, 2024.

18 NCAC 07E .0602 ADHERENCE TO CURRICULUM

A certified notary instructor shall follow the Department curriculum for notary courses unless the Department grants a written variance to the instructor pursuant to the rules in Section .0800 of this Subchapter.

History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0603 PROCTORING EXAM

When administering the notary course exam, a certified notary instructor shall:

- (1) comply with the requirements of the institution regarding proctoring exams;
- (2) if the institution does not have requirements regarding exam proctoring, take steps to prevent cheating on the exam; and
- (3) take other measures to prevent cheating that the instructor deems appropriate.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0604 SUBMISSION OF GRADES TO DEPARTMENT

Certified notary instructors shall:

- (1) grade notary course exams administered on paper;
- (2) review grades for notary course exams administered electronically on the Department's website; and
- (3) electronically submit accurate student exam grades to the Department within two business days after the exams have been administered.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0605 REPORTING SUSPECTED CHEATING

A certified notary instructor shall:

- (1) comply with the institution's reporting requirements regarding suspected cheating; and
- (2) report to the Department within two business days if the instructor has reason to believe that there has been cheating by any student on a notary course exam, and include:
 - (a) the name and, if available, address and contact information, for any student suspected of cheating;
 - (b) a narrative description of the instructor's reasons for believing cheating may have occurred;
 - (c) whether, when, and to whom the instructor reported the possible cheating at the institution; and
 - (d) any other information such as additional supporting evidence that the instructor believes may aid the Department in investigating the report.

Note: For purposes of this Rule, "additional supporting evidence" includes evidence such as videos, student admissions, and witness reports.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

SECTION .0700 – NOTARY INSTRUCTOR CONTINUING OBLIGATIONS

18 NCAC 07E .0701 RESPONSE TO COMPLAINTS

If the Department receives information or a complaint regarding a certified notary instructor's qualifications as an instructor or notary public, or performance as an instructor, the instructor shall, as directed by the Department, perform any combination of the following:

- (1) submit to an interview;
- (2) submit requested information; or
- (3) submit audio and visual documentation such as a video of actual instruction to the extent available.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0716 Eff. June 1, 2023;
Amended Eff. July 1, 2024.

18 NCAC 07E .0702 INSTRUCTOR CONDUCT

During instruction and administration of the duties of a certified notary instructor, an instructor shall demonstrate a professional demeanor.

For purposes of this Rule, "professional demeanor" means exhibiting behaviors consistent with the factors on which an instructor applicant's oral presentation is evaluated pursuant to Rules .0306 through .0312 of this Subchapter.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

SECTION .0800 – NOTARY INSTRUCTOR REQUESTS FOR APPROVAL OF INSTRUCTIONAL AIDS

18 NCAC 07E .0801 REQUEST FOR VARIANCE FROM APPROVED INSTRUCTIONAL AIDS

Certified notary instructors may submit a written request addressed to the Director requesting that the Department approve a variance allowing use of instructional aids in addition to or differing from those established by the Department.

History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0802 VARIANCE REQUEST - EXEMPLAR REQUIRED

A certified notary instructor who submits a request for variance pursuant to this Section shall include a complete copy of the proposed instructional aid in its original size and colors.

History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0803 VARIANCE REQUEST - EXPLANATION OF VALUE

A certified notary instructor who submits a variance request shall explain to the Department how the revised or new aid:

- (1) will be used by the instructor; and
- (2) will assist notary course students in understanding the role and responsibilities of a notary public or an electronic notary public.

History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0804 VARIANCE REQUEST – APPROVAL CRITERIA

The Department shall approve or deny a variance request using the following criteria:

- (1) conformity with Chapter 10B of the General Statutes and the rules in this Chapter;
- (2) the value added to the curriculum;
- (3) the impact of the change on the length of the course; and
- (4) the quality of visual or audio elements.

History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;
Eff. July 1, 2024.

SECTION .0900 – NOTARY INSTRUCTOR OBLIGATIONS TO STUDENTS

18 NCAC 07E .0901 PREREQUISITE FOR INSTRUCTOR APPLICATION SIGNATURE

A certified notary instructor shall sign a student's notary application only after the student has successfully completed the course.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0902 INSTRUCTOR VERIFICATION OF STUDENT NAME

A certified notary instructor shall not sign a student's notary application if the name on the satisfactory evidence presented does not match the student's name for use on a notary commission.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0903 RETESTING STUDENTS WHO FAIL NOTARY COURSE EXAM

The institution where a notary course is taught shall determine whether a certified notary instructor may administer a retest to a student who fails a notary course exam.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .0904 NOTICE TO DEPARTMENT OF RETESTING

If a certified notary instructor retests a student who fails a notary course exam, the instructor shall:

- (1) retest the student within 30 days of the date of the course and failed exam; and
- (2) submit the results of the retest to the Department within two business days of the date on which the student retook the exam.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

SECTION .1000 – NOTARY INSTRUCTOR EVALUATION

18 NCAC 07E .1001 STUDENT EVALUATIONS OF INSTRUCTORS

A certified notary instructor shall:

- (1) in each year of certification require that students in at least one of the instructor's notary courses complete the Department's student evaluation of notary instructor form specified in 18 NCAC 07B .0417, unless the instructor's employer institution obtains student evaluations during the same period; and
- (2) submit to the Department copies of all student evaluation forms completed pursuant to Item (1) of this Rule within 45 days of receipt of the completed forms. Note: Where the employer institution

obtains student evaluations more frequently than once per certification year, evaluations for a single class in the certification year satisfy the requirements of this Item.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0717 Eff. June 1, 2023;
Amended Eff. July 1, 2024.

18 NCAC 07E .1002 DEPARTMENTAL USE OF STUDENT EVALUATIONS

In order to determine whether a certified notary instructor shall receive coaching, counseling, or be subject to action pursuant to G.S. 10B-60, the Department shall review student evaluations of the instructor for consistency with the factors on which an instructor applicant's oral presentation is evaluated pursuant to Rules .0306 through .0312 of this Subchapter.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

SECTION .1100 – NOTARY INSTRUCTOR RECERTIFICATION

18 NCAC 07E .1101 INELIGIBILITY FOR RECERTIFICATION AS NOTARY INSTRUCTOR

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

- (1) no longer qualifies for initial commissioning as a notary public;
- (2) has not taught at least two notary courses in each of the two immediately preceding instructor certification years; or
- (3) has failed to comply with other requirements imposed upon a notary or notary public instructor pursuant to G.S. 10B-14 or the rules in this Chapter.

History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0718 Eff. June 1, 2023;
Amended Eff. July 1, 2024.

18 NCAC 07E .1102 NOTARY PUBLIC INSTRUCTOR RECERTIFICATION REQUIREMENTS

An applicant for recertification as a notary instructor shall:

- (1) complete the Department's notary instructor recertification form specified in 18 NCAC 07B .0418 and submit it to the Department prior to lapse of certification;
- (2) successfully complete the notary instructor recertification course; and
- (3) except as otherwise provided by G.S. 10B-14, pay the required fee.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0719 Eff. June 1, 2023;
Amended Eff. March 1, 2025.

18 NCAC 07E .1103 NOTARY INSTRUCTOR CERTIFICATION EQUIVALENCE

(a) Successful completion of the notary instructor course shall satisfy the requirements for successful completion of the notary recommissioning exam and electronic notary course and exam.

(b) Paragraph (a) of this Rule shall apply only to a notary who:

- (1) is a certified notary instructor when applying for recommissioning as a notary or reregistration as an electronic notary; and

- (2) is a certified notary instructor at the time of taking the recommissioning oath.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. January 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Transferred from 18 NCAC 07B .0719 Eff. June 1, 2023;
Amended Eff. July 1, 2024.

18 NCAC 07E .1104 NOTARY INSTRUCTOR RECERTIFICATION COURSE ORAL PRESENTATION

The notary instructor recertification course shall include an oral presentation in addition to the written exam for:

- (1) a certified notary instructor's first recertification;
- (2) an instructor who has taught no more than two notary courses in each of the two immediately preceding certification years;
- (3) an instructor whose student grades have on average been less than 85 percent;
- (4) an instructor whose student evaluations for a single course have had a majority of ratings of less than "Good" on:
 - (a) any one category of the evaluation form; or
 - (b) any combination of the evaluation form categories; or
- (5) an instructor subject to Rule .1105 of this Section.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .1105 NOTARY INSTRUCTOR WITH LAPSE IN CERTIFICATION

- (a) A certified notary instructor who has a lapse between certification terms shall comply with the requirements for initial certification as a notary instructor.
- (b) Notwithstanding Paragraph (a) of this Rule, if the lapse is for less than six months and the instructor otherwise qualifies, the instructor:
- (1) may take the recertification course instead of the initial certification course; and
 - (2) shall make an oral presentation during the course.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

SECTION .1200 – INSTRUCTOR APPLICATION DENIALS

18 NCAC 07E .1201 RESERVED FOR FUTURE CODIFICATION

18 NCAC 07E .1202 APPLICATION DENIAL – FAILURE TO NOTIFY DEPARTMENT OF CHANGES

The Department shall deny an application for notary instructor certification or recertification if the notary public or instructor has failed to notify the Department of changes as required by Chapter 10B of the General Statutes or the rules in this Chapter.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .1203 APPLICATION DENIAL – TERMINATION FOR CAUSE

The Department shall deny an application for notary instructor recertification if the certified notary instructor has been terminated by an eligible institution for cause.

History Note: Authority G.S. 10B-4; 10B-14; 10B-134.21;
Eff. July 1, 2024.

18 NCAC 07E .1204 APPLICATION DENIAL – FAILURE TO SUBMIT EXAM GRADES

The Department shall deny the application for recertification of a certified notary instructor if the instructor applicant has failed to submit student exam grades in accordance with Rule .0604 of this Subchapter more than once in a certification year.

History Note: *Authority G.S. 10B-4; 10B-14; 10B-134.21;*
Eff. July 1, 2024.

18 NCAC 07E .1205 APPLICATION DENIAL – DISCIPLINARY ACTION

The Department shall deny an application for instructor certification or recertification if the notary public has been the subject of a disciplinary action, other than a warning or denial, that is related to performance as a notary public, an electronic notary public, or a notary instructor.

History Note: *Authority G.S. 10B-4; 10B-14; 10B-134.21;*
Eff. July 1, 2024.