

1 18 NCAC 07E .0101 is amended as published in 38:09 NCR 571 as follows:

2
3 **18 NCAC 07E .0101 INSTRUCTOR CERTIFICATION – SCOPE AND DEFINITIONS**

4 (a) ~~Except as otherwise provided in G.S. 10B-14 and this Section, notaries public shall comply with all~~
5 This Subchapter sets the requirements for certification or and recertification as a notary public instructor as set forth
6 in this Chapter, and for requesting that the Department offer certified notary instructor courses.

7 (b) ~~A notary public who is a licensed member of the North Carolina State Bar shall comply with all requirements of~~
8 this Chapter in order to obtain certification or recertification as a notary public instructor. For purposes of this
9 Subchapter:

10 (1) “Active experience as a notary” means either:

11 (A) performance in North Carolina of at least 1 notarial act in each of the immediately
12 preceding 12 months; or

13 (B) active experience as a certified notary instructor.

14 (2) “Active experience as a certified notary instructor” means teaching at least two notary courses for
15 each of the two 12-month periods during which an instructor holds an instructor certification.

16 (3) “Affidavit of moral character form” means the form specified in 18 NCAC 07B .0408.

17 (4) “Eligible institution” or “institution” means:

18 (A) a community college established pursuant to G.S. 115D-4;

19 (B) a constituent institution of the University of North Carolina established pursuant to G.S.
20 116-4;

21 (C) an eligible private postsecondary institution as defined by G.S. 116-280(3); or

22 (D) a public school system authorized to conduct adult education programs pursuant to G.S.
23 115C-231.

24 (5) “Instructor applicant” means an applicant for initial certification or for recertification as a notary
25 instructor.

26 (6) “Instructor application form” means the form specified in 18 NCAC 07B .0414.

27 (7) “Instructor course” means the initial notary public instructor certification course and the
28 recertification course.

29 (8) “Instructor recertification application form” means the form specified in 18 NCAC 07B .0418.

30 (9) “Recommendation form” means the form specified in 18 NCAC 07B .0415.

31 (10) “Successfully complete” means, when used to describe an instructor applicant, that an instructor
32 applicant has complied with Chapter 10B and the rules in this Subchapter and has:

33 (A) presented satisfactory evidence of identity;

34 (B) attended a notary instructor certification or recertification course; and

35 (C) achieved passing grades on the written and oral instructor certification or recertification
36 course exams.

1 *History Note: Authority G.S. 10B-4; ~~10B-8~~; 10B-14; 10B-134.21;*
2 *Eff. January 1, 2008;*
3 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
4 *6, 2016;*
5 *Transferred from 18 NCAC 07B .0701 Eff. June 1, ~~2023~~. 2023;*
6 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0102 is adopted with changes as published in 38:09 NCR 571 as follows:

2

3 **18 NCAC 07E .0102 CONDITIONS FOR BECOMING NOTARY INSTRUCTOR**

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

5 (1) an eligible institution nominates the notary to the Department by written request pursuant to Rule
6 .0103 of this Section; and

7 (2) the Department determines that the nominee meets the criteria in G.S. 10B-14 and the ~~Rules~~ rules
8 in this Subchapter.

9

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

11 *Eff. July 1, 2024.*

1 18 NCAC 07E .0103 is adopted with changes as published in 38:09 NCR 571 as follows:

2

3 **18 NCAC 07E .0103 NOMINATION BY ELIGIBLE INSTITUTION**

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

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

6 (2) including in its request:

7 (a) the full name of the institution;

8 (b) a request that the nominated notary be enrolled in an instructor course;

9 (c) the name of the proposed notary instructor as it appears on the notary's commission;

10 (d) a statement that the nominated instructor has consented to be nominated and has been
11 directed to contact the Department to request an application form;

12 (e) the name, title, signature, and contact information for the ~~person~~ individual submitting the
13 request;

14 (f) the name and contact information for the notary course administrator of the institution, if
15 different from the ~~person~~ individual submitting the request;

16 (g) the date of the request; and

17 (h) a statement that upon certification as a notary instructor, the nominee will be employed by
18 the institution as a certified notary instructor.

19

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

21 *Eff. July 1, 2024.*

1 18 NCAC 07E .0104 is amended with changes as published in 38:09 NCR 571-572 as follows:

2
3 **18 NCAC 07E .0104 FEES FEE - EXEMPTION AND FAILURE TO PAY**

4 (a) ~~The fee required by G.S. 10B-14 for certification and recertification as a notary public instructor shall be paid in~~
5 ~~accordance with Rule .0105 of this Chapter.~~

6 (b) ~~A person asserting that he or she is not required to submit a~~ An instructor applicant who asserts exemption from
7 the fee pursuant to G.S. 10B-14(c) shall include verification certify on the instructor certification or recertification
8 application form that as of the date of ~~application~~ application, the applicant is currently employed ~~as a register of deed,~~
9 ~~clerk of court or is the Director or an authorized employee of the Secretary as set forth in G.S. 10B-14(c).~~ as:

10 (1) a register of deeds;

11 (2) a clerk of court; or

12 (3) an employee of the Department and is authorized by the Secretary to teach notary courses as set
13 forth in G.S. 10B-14(c).

14 ~~(e)(b) The Secretary Department may shall~~ shall refuse to administer the notary public instructor certification ~~examination~~
15 ~~exam~~ exam to an applicant who has failed to pay the fee required for certification or recertification as a notary ~~public~~
16 ~~instructor before the examination exam~~ exam date.

17
18 *History Note: Authority G.S. ~~10B-4; 10B-8; 10B-14; 10B-134.21;~~*

19 *Eff. January 1, ~~2008;~~ 2008;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
21 *6, 2016;*

22 *Transferred from 18 NCAC 07B .0705 Eff. June 1, ~~2023.~~ 2023;*

23 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0105 is amended with changes as published in 38:09 NCR 572 as follows:

2
3 **18 NCAC 07E .0105 INSTRUCTOR CERTIFICATION - GENERAL REQUIREMENTS**

4 Applicants An applicant for initial notary ~~public~~ instructor certification shall:

- 5 (1) be nominated by an eligible institution;
- 6 ~~(+)(2) Complete~~ complete and submit the Department's notary ~~public~~ instructor application form specified
7 in 18 NCAC 07B .0414; and submit it to the Department;
- 8 ~~(2)(3) Comply with the requirements of Rule .0708 through Rule .0711 of this Chapter regarding~~
9 verification of 12 months of experience; provide proof of active experience as a notary ~~public~~ using
10 any combination of the methods set out in Section .0200 of this Subchapter;
- 11 ~~(3)(4) Comply with the requirements of Rule .0712 of this Chapter regarding recommendations; submit~~
12 three recommendations supporting the applicant from nonfamily members in compliance with Rule
13 .0112 of this Section;
- 14 ~~(4) Comply with the requirements of Rule .0713 of this Chapter regarding an oral presentation of a~~
15 notary ~~public~~ course curriculum lesson;
- 16 ~~(5) have read:~~
- 17 (a) Chapter 10B of the General Statutes;
- 18 (b) the ~~[Rules]~~ rules in this Chapter; and
- 19 (c) the current edition of the approved notary manual for traditional notaries; and
- 20 ~~(5)(6) Make a passing grade on the final examination in~~ successfully complete the notary ~~public~~ instructor
21 certification course as set forth in Rule .0714 of this Chapter; and course.
- 22 ~~(6) Except as otherwise provided in G.S. 10B-14(c) and Rule .0705 of this Chapter, pay the required~~
23 fee.

24
25 *History Note: Authority G.S. ~~10B-4; 10B-8; 10B-14; 10B-134.21;~~*

26 *Eff. January 1, 2008;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
28 *6, 2016;*

29 *Transferred from 18 NCAC 07B .0702 Eff. June 1, ~~2023.~~ 2023;*

30 *Amended Eff. ~~[July 1, 2024.]~~ March 1, 2025.*

1 18 NCAC 07E .0106 is amended with changes as published in 38:09 NCR 572 as follows:

2
3 **18 NCAC 07E .0106 TIMING MANDATORY DEPARTMENT DENIAL OF INSTRUCTOR**
4 **CERTIFICATION APPLICATION**

5 The Department shall deny a An application for notary public instructor certification or recertification application
6 shall not be submitted to the Division during the period of any sanction issued by the Division. if any of the following
7 apply:

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

16
17 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*
18 *Eff. January 1, 2008;*
19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
20 *6, 2016;*
21 *Transferred from 18 NCAC 07B .0703 Eff. June 1, ~~2023.~~ 2023;*
22 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0107 is repealed as published in 38:09 NCR 572 as follows:

2

3 **18 NCAC 07E .0107 DEPARTMENT REJECTION OF APPLICATIONS**

4

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

6 *Eff. January 1, 2008;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
8 *6, 2016;*

9 *Transferred from 18 NCAC 07B .0704 Eff. June 1, ~~2023~~ 2023;*

10 *Repealed Eff. July 1, 2024.*

1 18 NCAC 07E .0108 is amended with changes as published in 38:09 NCR 572-573 as follows:

2
3 **18 NCAC 07E .0108 VERIFICATION THAT INSTRUCTOR APPLICANT CONTINUES TO MEET**
4 **REQUIREMENTS FOR A NOTARY COMMISSION**

5 An instructor applicant ~~for notary public instructor certification or recertification~~ shall verify that: under [oath] penalty
6 of perjury on the instructor application form specified in 18 NCAC 07B .0414 that:

- 7 (1) the information on the application is true and complete; and
8 ~~(1)(2)~~ the applicant continues to meet each of the qualifications for a notary commission in G.S. 10B-5
9 and 10B-7; and will perform the responsibilities of [an] a certified notary instructor as set out in
10 Chapter 10B of the General Statutes and the [Rules] rules in this Chapter to the best of the applicant's
11 ability.
12 ~~(2) With regard to changes requiring notification to the Division pursuant to Rule .0107 of this Chapter,~~
13 ~~verify:~~
14 ~~(a) That there have been no changes requiring notification to the Department;~~
15 ~~(b) That there have been changes requiring notification to the Department and that the~~
16 ~~applicant has made all required notifications; or~~
17 ~~(c) That there have been changes requiring notification to the Department and the applicant~~
18 ~~has not previously made the required notification to the Department but is including the~~
19 ~~notification with the application.~~

20
21 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*
22 *Eff. January 1, 2008;*
23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
24 *6, 2016;*
25 *Transferred from 18 NCAC 07B .0706 Eff. June 1, ~~2023-~~ 2023;*
26 *Amended Eff. [July 1, 2024.] March 1, 2025.*

1 18 NCAC 07E .0109 is adopted as published in 38:09 NCR 573 as follows:

2

3 **18 NCAC 07E .0109 CHANGE IN INSTRUCTOR’S ELIGIBLE INSTITUTION**

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

6 (1) the change in eligible institution;

7 (2) the date that the change is effective; and

8 (3) the name and contact information for the notary course administrator at the eligible institution.

9 For purposes of this Rule, “change in the eligible institution” means:

10 (1) that the applicant or certified notary instructor will not teach at the institution named in the
11 application; or

12 (2) that the applicant or certified notary instructor will teach at another institution.

13

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

15 Eff. July 1, 2024.

1 18 NCAC 07E .0111 is repealed as published in 38:09 NCR 573 as follows:

2

3 **18 NCAC 07E .0111 OTHER VERIFICATIONS**

4

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

6 *Eff. January 1, 2008;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
8 *6, 2016;*

9 *Transferred from 18 NCAC 07B .0707 Eff. June 1, ~~2023~~ 2023;*

10 *Repealed Eff. July 1, 2024.*

1 18 NCAC 07E .0112 is amended as published in 38:09 NCR 573 as follows:

2

3 **18 NCAC 07E .0112 RECOMMENDATIONS**

4 A ~~An~~ notary public instructor certification applicant shall ~~submit~~ include three recommendations ~~on the Division's~~
5 ~~recommendation form from persons unrelated to the applicant by birth, marriage or adoption. individuals who are not~~
6 family members of the applicant. The recommendations shall be submitted on the Department's recommendation form
7 specified in 18 NCAC 07B .0415.

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

10

11 *History Note: Authority G.S. 10B-4; ~~10B-8; 10B-14; 10B-134.21;~~*

12 *Eff. January 1, 2008;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
14 *6, 2016;*

15 *Transferred from 18 NCAC 07B .0712 Eff. June 1, ~~2023.~~ 2023;*

16 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0113 is adopted as published in 38:09 NCR 573 as follows:

2

3 **18 NCAC 07E .0113 INSTRUCTORS AS REGISTERED ELECTRONIC NOTARIES**

4 An instructor applicant shall:

5 (1) be a registered electronic notary public at the time of application; or

6 (2) comply with all requirements for registration as an electronic notary within three months of
7 successfully completing the instructor certification course.

8

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

10 Eff. July 1, 2024.

1 18 NCAC 07E .0201 is amended with changes as published in 38:09 NCR 573 as follows:

2
3 **SECTION .0200 – ~~NOTARY~~ INSTRUCTOR APPLICANT VERIFICATION OF EXPERIENCE**

4
5 **18 NCAC 07E .0201 EVIDENCE OF ~~MINIMUM~~ ACTIVE EXPERIENCE AS A NOTARY**

6 (a) ~~For purposes of these Rules a notarial act is an act set out in G.S. 10B-20(a).~~

7 (b) ~~For purposes of demonstrating the experience required by G.S. 10B-14(a)(2), an applicant shall show evidence of~~
8 ~~performing notarial acts during each month of the 12 months immediately preceding the application to become a~~
9 ~~certified notary instructor.~~

10 (c) ~~Evidence of performance of notarial acts shall be presented by one of the methods set forth in Rule .0709 through~~
11 ~~Rule .0711 of this Chapter.~~

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

14 (1) journal entries;

15 (2) employer affidavits; or

16 (3) an alternative method as set out in the [Rules] rules in this Section.

17
18 *History Note: Authority G.S. ~~10B-4; 10B-8; 10B-14; 10B-134.21;~~*

19 *Eff. January 1, 2008;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
21 *6, 2016;*

22 *Transferred from 18 NCAC 07B .0708 Eff. June 1, ~~2023;~~ 2023;*

23 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0202 is adopted with changes as published in 38:09 NCR 573 as follows:

2

3 **18 NCAC 07E .0202 JOURNAL AS EVIDENCE OF ACTIVE EXPERIENCE**

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

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

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

8

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

10 *Eff. July 1, 2024.*

1 18 NCAC 07E .0204 is amended with changes as published in 38:09 NCR 573 as follows:

2

3 **18 NCAC 07E .0204 MINIMUM CONTENTS OF NOTARY JOURNAL SUBMITTED AS EVIDENCE**
4 **OF EXPERIENCE**

5 ~~(a) An applicant for notary public instructor certification may submit a~~ A journal of notarial acts submitted as evidence
6 of active experience performing notarial acts. as a notary **public** shall comply with 18 NCAC 07I.

7 ~~(b) The submitted journal shall, at a minimum, include:~~

8 ~~(1) — The dates on which notarial acts were performed;~~

9 ~~(2) — The type of notarial act performed; and~~

10 ~~(3) — The name(s) of the party(ies) for whom each notarial act was performed.~~

11 ~~(c) The applicant shall submit an affidavit verifying that the information in the journal submitted in compliance with~~
12 ~~this Rule is true and correct.~~

13

14 *History Note: Authority G.S. 10B-4; ~~40B-8; 10B-14; 10B-134.21;~~*

15 *Eff. January 1, 2008;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016;*

18 *Transferred from 18 NCAC 07B .0709 Eff. June 1, ~~2023; 2023;~~*

19 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0205 is adopted with changes as published in 38:09 NCR 573-574 as follows:

2

3 **18 NCAC 07E .0205 EMPLOYER AFFIDAVIT AS EVIDENCE OF EXPERIENCE**

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

6

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

8 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07E .0206 is adopted with changes as published in 38:09 NCR 574 as follows:

2

3 **18 NCAC 07E .0206 EMPLOYER AFFIDAVIT REGARDING NOTARIAL ACTS FOR EMPLOYER**

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

5 (1) shall refer to notarial acts performed for the employer; and

6 (2) may refer to other notarial acts of the instructor applicant of which the employer affiant is personally
7 aware.

8

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

10 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07E .0207 is adopted with changes as published in 38:09 NCR 574 as follows:

2

3 **18 NCAC 07E .0207 EMPLOYER AFFIDAVIT MAY INCLUDE RECOMMENDATION**

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

6

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

8 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07E .0209 is amended with changes as published in 38:09 NCR 574 as follows:

2
3 **18 NCAC 07E .0209 SUBMITTAL OF EMPLOYER AFFIDAVIT AS EVIDENCE OF EXPERIENCE**

4 ~~(a) An applicant for notary public instructor certification may submit an affidavit from his or her employer verifying~~
5 ~~that the applicant has had experience performing notarial acts.~~

6 ~~(b) The submitted affidavit shall, at a minimum, include the following:~~

7 ~~(1) — The name of the corporation, business, individual or entity employing the applicant;~~

8 ~~(2) — The full name of the person verifying the applicant's experience;~~

9 ~~(3) — The authority of the person to verify the applicant's experience, including his or her title;~~

10 ~~(4) — The address, telephone number and, if applicable, email address of the person verifying the~~
11 ~~applicant's experience;~~

12 ~~(5) — A narrative description of the reasons the applicant has performed notarial acts while employed by~~
13 ~~the person or entity submitting the affidavit; and~~

14 ~~(6) — Verification that the applicant has performed at least one notarial act during each of the 12~~
15 ~~immediately preceding months.~~

16 ~~(c) The submitted affidavit may also contain a recommendation pursuant to Rule .0712 of this Chapter.~~

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

19
20 *History Note: Authority G.S. 10B-4; ~~10B-8~~; 10B-14; 10B-134.21;*

21 *Eff. January 1, 2008;*

22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
23 *6, 2016;*

24 *Transferred from 18 NCAC 07B .0710 Eff. June 1, ~~2023~~. 2023;*

25 *Amended Eff. [July 1, 2024] March 1, 2025.*

1 18 NCAC 07E .0212 is amended with changes as published in 38:09 NCR 574 as follows:

2
3 **18 NCAC 07E .0212 ALTERNATIVE AFFIDAVITS AS EVIDENCE OF EXPERIENCE**

4 An instructor applicant ~~for notary public instructor certification~~ may submit evidence of active experience ~~performing~~
5 ~~notarial acts as a notary public~~ other than a journal or employer affidavit, ~~provided the evidence includes: that is not~~
6 a journal or employer affidavit if:

7 ~~(2)(1)~~ (1) An affidavit from the evidence consists of at least one or more affidavits from nonfamily members
8 person unrelated to the applicant by birth, marriage or adoption which that comply with Rule .0213
9 of this Section and that together establishes establish that the instructor applicant has performed at
10 least one notarial act during each of the 12 months immediately preceding the application. active
11 experience as a notary; and

12 ~~(1)(2)~~ An an affidavit from the instructor applicant verifying that the applicant has performed at least one
13 notarial act in each of the 12 immediately preceding months; and that complies with Rule .0214 of
14 this Section.

15
16 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*

17 *Eff. January 1, 2008;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
19 *6, 2016;*

20 *Transferred from 18 NCAC 07B .0711 Eff. June 1, ~~2023;~~ 2023;*

21 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0213 is adopted with changes as published in 38:09 NCR 574 as follows:

2

3 **18 NCAC 07E .0213 AFFIDAVITS AFFIDAVIT OF EXPERIENCE FROM NONFAMILY MEMBERS**
4 **MEMBER**

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

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

17

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

1 18 NCAC 07E .0214 is adopted with changes as published in 38:09 NCR 574-575 as follows:

2

3 **18 NCAC 07E .0214 ALTERNATIVE EVIDENCE AFFIDAVIT FROM INSTRUCTOR APPLICANT**

4 An instructor applicant who presents alternative evidence of active experience as a notary public pursuant to Rule
5 .0212 of this Section shall submit the applicant's own affidavit consisting of:

- 6 (1) the ~~name of the applicant as it appears on the~~ applicant's ~~notary commission;~~ commission name;
- 7 (2) a declaration of the applicant's active experience as a ~~notary;~~ notary public;
- 8 (3) an explanation for how the applicant knows that at least 1 notarial act was performed in each of the
9 12 months preceding the application;
- 10 (4) the signature of the applicant and the date on which the applicant signed; and
- 11 (5) a jurat certificate.

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

13

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

1 18 NCAC 07E .0301 is adopted with changes as published in 38:09 NCR 575 as follows:

2

3 **18 NCAC 07E .0301** ~~**INSTRUCTOR APPLICANT TO ATTEND DEPARTMENT**~~ **INSTRUCTOR**
4 **COURSE REQUIREMENT**

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

7

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

9 *Eff. July 1, 2024.*

1 18 NCAC 07E .0302 is amended as published in 38:09 NCR 575 as follows:

2

3 **18 NCAC 07E .0302 NOTARY ~~PUBLIC~~ INSTRUCTOR CERTIFICATION AND RECERTIFICATION**
4 **EXAMINATIONS EXAM PASSING SCORE**

5 ~~(a) A passing grade score on the notary public instructor certification or recertification final examination shall be 90~~
6 ~~percent. percent or higher on each of the notary instructor certification and recertification written exams.~~

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

9

10 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*

11 *Eff. January 1, 2008;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
13 *6, 2016;*

14 *Transferred from 18 NCAC 07B .0714 Eff. June 1, ~~2023;~~ 2023;*

15 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0303 is amended with changes as published in 38:09 NCR 575 as follows:

2
3 **18 NCAC 07E .0303 ORAL PRESENTATION REQUIREMENT FOR INSTRUCTOR APPLICANT**

4 ~~(a) A As part of the notary public instructor certification student course exam, a notary instructor applicant shall~~
5 ~~provide make an oral presentation of a section of the notary public curriculum which shall be evaluated according to~~
6 ~~the standards set forth in Paragraph (c) of this Rule. that complies with the [Rules] rules in this Section by presenting~~
7 ~~on a notary public curriculum topic selected by the applicant from a list provided by the Department.~~

8 ~~(b) A passing grade on the notary public instructor certification oral presentation shall be 80 percent.~~

9 ~~(c) The oral presentation of a notary public instructor certification student shall be graded for instructional ability~~
10 ~~using standards including the notary public instructor student's:~~

11 (1) ~~— Voice quality (projection, articulation, speech rate);~~

12 (2) ~~— Verbal skill (fluency and clarity);~~

13 (3) ~~— Physical appearance and mannerisms (attire, posture, body language, eye contact, movement) to~~
14 ~~project a professional demeanor;~~

15 (4) ~~— Professional qualities of the instructor (knowledge, self confidence, tact, enthusiasm, sensitivity);~~

16 (5) ~~— Selection and use of training aids (use of writing surface and other aids, effective use of multimedia,~~
17 ~~transparencies, and slides, relates aids to objectives, and use of aids when scheduled);~~

18 (6) ~~— Presentation of information in logical sequence;~~

19 (7) ~~— Timing of presentation to allow for sufficient time for questions and discussion;~~

20 (8) ~~— Transition of subjects with continuous progression and development of lesson;~~

21 (9) ~~— Emphasis of key points and frequent summarization of topics to entire lesson or course and use of~~
22 ~~examples to clarify the subjects;~~

23 (10) ~~— Frequent establishment of relevance of the topics to entire lesson or course and use of examples to~~
24 ~~clarify the subjects; and~~

25 (11) ~~— Following the Division's notary public curriculum.~~

26 ~~(d) A notary public instructor student who fails the oral presentation portion of the notary public instructor~~
27 ~~certification course may schedule one additional oral presentation within three months of the failure to complete the~~
28 ~~oral presentation requirement as required by Paragraph (b) of this Rule.~~

29
30 *History Note: Authority G.S. 10B-4; 40B-8; 10B-14; 10B-134.21;*

31 *Eff. January 1, 2008;*

32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
33 *6, 2016;*

34 *Transferred from 18 NCAC 07B .0713 Eff. June 1, ~~2023-~~ 2023;*

35 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0304 is adopted as published in 38:09 NCR 575 as follows:

2

3 **18 NCAC 07E .0304 NOTARY INSTRUCTOR ORAL PRESENTATION PASSING SCORE**

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

6

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

8 Eff. July 1, 2024.

1 18 NCAC 07E .0306 is adopted as published in 38:09 NCR 575 as follows:

2

3 **18 NCAC 07E .0306 FACTORS RELATING TO VOICE**

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

6

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

8 Eff. July 1, 2024.

1 18 NCAC 07E .0307 is adopted as published in 38:09 NCR 575 as follows:

2

3 **18 NCAC 07E .0307 FACTORS RELATING TO VERBAL SKILL**

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

6

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

8 Eff. July 1, 2024.

1 18 NCAC 07E .0308 is adopted as published in 38:09 NCR 575-576 as follows:

2

3 **18 NCAC 07E .0308 FACTORS RELATING TO PHYSICAL APPEARANCE AND MANNERISMS**

4 An instructor applicant’s oral presentation shall be evaluated on professional appearance and mannerisms. For
5 purposes of this Rule, “professional appearance and mannerisms” means:

6 (1) attire appropriate to the adult education setting. NOTE: Professional and office casual attire are
7 examples of appropriate attire; and

8 (2) posture, body language, eye contact, and movement that projects a professional demeanor that will
9 engage the students.

10

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

12 *Eff. July 1, 2024.*

1 18 NCAC 07E .0309 is adopted with changes as published in 38:09 NCR 576 as follows:

2

3 **18 NCAC 07E .0309 FACTORS RELATING TO PROFESSIONAL QUALITIES OF THE**
4 **INSTRUCTOR**

5 An instructor applicant’s oral presentation shall be evaluated on the applicant’s professional qualities. For purposes
6 of this Rule, “professional qualities” means the applicant’s demonstration of:

7 (1) knowledge of the notary course curriculum, the notary manual, Chapter 10B of the General Statutes,
8 and the ~~Rules~~ rules in this Chapter;

9 (2) projection of confidence in presenting the materials, admitting areas of uncertainty and willingness
10 to get and provide answers;

11 (3) tact and sensitivity that respects individuals while also respecting the time of the other students when
12 responding to questions or issues that arise in the class; and

13 (4) enthusiasm for the subject matter and for teaching, so that students are engaged.

14

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

16 *Eff. July 1, 2024.*

1 18 NCAC 07E .0310 is adopted with changes as published in 38:09 NCR 576 as follows:

2

3 **18 NCAC 07E .0310 FACTORS RELATING TO SELECTION AND USE OF TRAINING AIDS**

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

7

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

9 *Eff. July 1, 2024.*

1 18 NCAC 07E .0311 is adopted as published in 38:09 NCR 576 as follows:

2

3 **18 NCAC 07E .0311 FACTORS RELATING TO SEQUENCE**

4 An instructor applicant’s oral presentation shall be evaluated on the applicant’s presentation of information in a logical
5 sequence. For purposes of this Rule, “presentation of information in logical sequence” means the applicant:

6 (1) follows in order the curriculum and lesson plan provided by the Department;

7 (2) transitions without effort between topics; and

8 (3) returns to the initial sequence after appropriately addressing the student’s issue if a student raises an
9 issue out of order.

10

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

12 Eff. July 1, 2024.

1 18 NCAC 07E .0312 is adopted with changes as published in 38:09 NCR 576 as follows:

2

3 **18 NCAC 07E .0312 FACTORS RELATING TO EMPHASIS, SUMMARIZATION, AND EXAMPLE**
4 **EXAMPLES, AND SUMMARIZATION**

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

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

9

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

11 *Eff. July 1, 2024.*

1 18 NCAC 07E .0401 is adopted as published in 38:09 NCR 576 as follows:

2

3

SECTION .0400 – CONSEQUENCES OF FAILING INSTRUCTOR’S EXAM

4

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

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

8

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

9

(2) submitting the request within one week of the date of the failed written exam.

10

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

12

Eff. July 1, 2024.

1 18 NCAC 07E .0402 is adopted with changes as published in 38:09 NCR 576 as follows:

2

3 **18 NCAC 07E .0402 CONSEQUENCE OF FAILING TO PASS WRITTEN INSTRUCTOR EXAM**

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

6

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

8 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07E .0403 is adopted as published in 38:09 NCR 576 as follows:

2

3 **18 NCAC 07E .0403 SCHEDULING ADDITIONAL ORAL PRESENTATION UPON FAILURE**

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

5 (1) making a written scheduling request to the Department addressed to the Director;

6 (2) submitting the request within one week of the date of the failed oral presentation; and

7 (3) making the second oral presentation within one month of the date on which the first oral presentation
8 was made.

9

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

11 Eff. July 1, 2024.

1 18 NCAC 07E .0404 is adopted as published in 38:09 NCR 576 as follows:

2

3 **18 NCAC 07E .0404 REPEAT ORAL PRESENTATION**

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

6

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

8 Eff. July 1, 2024.

1 18 NCAC 07E .0405 is adopted as published in 38:09 NCR 576 as follows:

2

3 **18 NCAC 07E .0405 EVALUATION OF REPEAT ORAL PRESENTATION**

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

6

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

8 Eff. July 1, 2024.

1 18 NCAC 07E .0406 is adopted as published in 38:09 NCR 576-577 as follows:

2

3 **18 NCAC 07E .0406 CONSEQUENCE OF FAILING TO PASS SECOND ORAL PRESENTATION**

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

6

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

8 Eff. July 1, 2024.

1 18 NCAC 07E .0407 is adopted as published in 38:09 NCR 577 as follows:

2

3 **18 NCAC 07E .0407 CONSEQUENCES OF FAILING TO RECERTIFY**

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

6 (1) notify the institutions at which the instructor taught prior to the expiration; and

7 (2) not teach a notary course before becoming certified as a notary instructor again.

8

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

10 Eff. July 1, 2024.

1 18 NCAC 07E .0601 is amended as published in 38:09 NCR 577 as follows:

2
3 **18 NCAC 07E .0601 MINIMUM INSTRUCTIONAL DUTIES OF CERTIFIED NOTARY PUBLIC**
4 **INSTRUCTORS**

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

7 (1) requiring satisfactory evidence of identity as defined in ~~G.S. 10B-3(22)(a)~~ G.S. 10B-3(22)a; or

8 (2) having personal knowledge of the student as defined in G.S. 10B-3(17).

9 ~~(b) A certified notary instructor shall verify the identity of each student in a traditional notary course and again prior~~
10 ~~to administration of the notary public examination by requiring satisfactory evidence of identity as defined in G.S.~~
11 ~~10B-3(22)(a); signing the application of a traditional notary applicant.~~

12 ~~(b) A certified notary public instructor shall follow the Division supplied curriculum for notary public instruction~~
13 ~~unless the instructor has been granted approval by the Division for a variance.~~

14 ~~(c) While performing their duties as certified notary public instructors, A certified instructors instructor shall comply~~
15 ~~with applicable State and federal laws relating to adult education. the eligible institution's requirements regarding~~
16 ~~audits of courses, provided that the instructor shall not permit a student who is auditing to:~~

17 (1) see or take the notary course exam; or

18 (2) remain in the classroom during the notary course exam.

19 ~~(d) When administering the notary public examination, a certified notary public instructor shall take steps to prevent~~
20 ~~cheating by students taking the notary public examination.~~

21 ~~(e) When administering the notary public examination, a certified notary public instructor shall report to the Division~~
22 ~~within two business days if the instructor has reason to believe that there has been cheating on a notary public~~
23 ~~examination by any student, and shall provide:~~

24 (1) ~~The name, address and contact information for any student suspected of cheating; and~~

25 (2) ~~A narrative description of the instructor's reasons for believing cheating may have occurred.~~

26 ~~(f) Notary public instructors shall submit student notary public examination grades to the Division within two business~~
27 ~~days after the examination has been administered.~~

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

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

32
33 *History Note: Authority G.S. ~~10B-4; 10B-8; 10B-14; 10B-134.21;~~*

34 *Eff. January 1, 2008;*

35 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
36 *6, 2016;*

37 *Transferred from 18 NCAC 07B .0716 Eff. June 1, ~~2023;~~ 2023;*

1 18 NCAC 07E .0602 is adopted with changes as published in 38:09 NCR 577 as follows:

2

3 **18 NCAC 07E .0602 ADHERENCE TO CURRICULUM**

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

6

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

1 18 NCAC 07E .0603 is adopted with changes as published in 38:09 NCR 577 as follows:

2

3 **18 NCAC 07E .0603 PROCTORING EXAM**

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

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

9

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

11 *Eff. July 1, 2024.*

1 18 NCAC 07E .0604 is adopted with changes as published in 38:09 NCR 577 as follows:

2

3 **18 NCAC 07E .0604 SUBMISSION OF GRADES TO DEPARTMENT**

4 ~~Notary~~ Certified notary instructors shall:

5 (1) grade notary course exams administered on paper;

6 (2) review grades for notary course exams administered electronically on the Department’s website;
7 and

8 (3) electronically submit accurate student exam grades to the Department within two business days after
9 the exams have been administered.

10

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

12 *Eff. July 1, 2024.*

1 18 NCAC 07E .0605 is adopted with changes as published in 38:09 NCR 577-578 as follows:

2

3 **18 NCAC 07E .0605 REPORTING SUSPECTED CHEATING**

4 A certified notary instructor shall:

5 (1) comply with the institution’s reporting requirements regarding suspected cheating; and

6 (2) report to the Department within two business days if the instructor has reason to believe that there
7 has been cheating by any student on a notary course exam, and include:

8 (a) the name and, if available, address and contact information, for any student suspected of
9 cheating;

10 (b) a narrative description of the instructor's reasons for believing cheating may have occurred;

11 ~~(c)~~ ~~additional supporting evidence;~~

12 ~~(d)~~(c) whether, when, and to whom the instructor reported the possible cheating at the institution;
13 and

14 ~~(e)~~(d) any other information such as additional supporting evidence that the instructor believes
15 may aid the Department in investigating the report.

16 NOTE: For purposes of this Rule, “additional supporting evidence” includes evidence such as videos, student
17 admissions, and witness reports.

18

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

20 *Eff. July 1, 2024.*

1 18 NCAC 07E .0701 is amended with changes as published in 38:09 NCR 578 as follows:

2

3 **18 NCAC 07E .0701 ~~ADDITIONAL REQUIREMENTS~~ RESPONSE TO COMPLAINTS**

4 If the ~~Division~~ Department receives information or a complaint regarding a certified notary instructor's qualifications
5 as an instructor or [notary,] notary public, or performance as an instructor, that gives reason to question the notary
6 public instructor's eligibility or ability to perform the duties of a notary public instructor, the Division may require the
7 notary public instructor to: shall, as directed by the [Department,] Department, perform any combination of the
8 following:

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

13

14 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*
15 *Eff. January 1, 2008;*
16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016;*
18 *Transferred from 18 NCAC 07B .0716 Eff. June 1, ~~2023~~ 2023;*
19 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .0702 is adopted as published in 38:09 NCR 578 as follows:

2

3 **18 NCAC 07E .0702 INSTRUCTOR CONDUCT**

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

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

8

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

10 *Eff. July 1, 2024.*

1 18 NCAC 07E .0801 is adopted with changes as published in 38:09 NCR 578 as follows:

2

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

4

5 **18 NCAC 07E .0801 REQUEST FOR VARIANCE FROM APPROVED INSTRUCTIONAL AIDS**

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

9

10 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*

11 *Eff. July 1, 2024.*

1 18 NCAC 07E .0802 is adopted with changes as published in 38:09 NCR 578 as follows:

2

3 **18 NCAC 07E .0802 VARIANCE REQUEST - EXEMPLAR REQUIRED**

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

6

7 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*

8 *Eff. July 1, 2024.*

1 18 NCAC 07E .0803 is adopted with changes as published in 38:09 NCR 578 as follows:

2

3 **18 NCAC 07E .0803 VARIANCE REQUEST - EXPLANATION OF VALUE**

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

6 (1) will be used by the instructor; and

7 (2) will assist notary course students in understanding the role and responsibilities of a notary ~~public~~.
8 public or an electronic notary public.

9

10 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*

11 *Eff. July 1, 2024.*

1 18 NCAC 07E .0804 is adopted with changes as published in 38:09 NCR 578 as follows:

2

3 **18 NCAC 07E .0804 VARIANCE REQUEST – APPROVAL CRITERIA**

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

5 (1) conformity with Chapter 10B of the General Statutes and the ~~Rules~~ rules in this Chapter;

6 (2) the value added to the curriculum;

7 (3) the impact of the change on the length of the course; and

8 (4) the quality of visual or audio ~~elements; and elements.~~

9 ~~(5) — avoidance of confusion.~~

10

11 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*

12 *Eff. July 1, 2024.*

1 18 NCAC 07E .0901 is adopted with changes as published in 38:09 NCR 578 as follows:

2

3

SECTION .0900 – NOTARY INSTRUCTOR OBLIGATIONS TO STUDENTS

4

5 **18 NCAC 07E .0901 ~~PREREQUISITES~~ PREREQUISITE FOR INSTRUCTOR APPLICATION**

6

SIGNATURE

7 ~~An instructor~~ A certified notary instructor shall sign a student’s notary application only after the student has
8 successfully completed the course.

9

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

11 *Eff. July 1, 2024.*

1 18 NCAC 07E .0902 is adopted with changes as published in 38:09 NCR 578 as follows:

2

3 **18 NCAC 07E .0902 INSTRUCTOR VERIFICATION OF STUDENT NAME**

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

6

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

8 *Eff. July 1, 2024.*

1 18 NCAC 07E .0903 is adopted as published in 38:09 NCR 579 as follows:

2

3 **18 NCAC 07E .0903 RETESTING STUDENTS WHO FAIL NOTARY COURSE EXAM**

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

6

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

8 Eff. July 1, 2024.

1 18 NCAC 07E .0904 is adopted with changes as published in 38:09 NCR 579 as follows:

2

3 **18 NCAC 07E .0904 NOTICE TO DEPARTMENT OF RETESTING**

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

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

8

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

10 *Eff. July 1, 2024.*

1 18 NCAC 07E .1001 is amended as published in 38:09 NCR 579 as follows:

2
3 **18 NCAC 07E .1001 STUDENT EVALUATIONS OF INSTRUCTION INSTRUCTORS**

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

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

9 (1) ~~Require in each year of certification require~~ that his or her notary public course students in at least
10 ~~one of the instructor's notary courses class each calendar year~~ complete the ~~Division's~~ Department's
11 student evaluation of notary ~~public course~~ instructor ~~form; form specified in 18 NCAC 07B .0417,~~
12 ~~unless the instructor's employer institution obtains student evaluations during the same period; and~~

13 (2) ~~Shall submit to the Department~~ copies of all ~~completed~~ student evaluation forms completed pursuant
14 ~~to Item (1) of this Rule to the Division~~ within 30 45 days of receipt of the completed forms. NOTE:
15 Where the employer institution obtains student evaluations more frequently than once per
16 certification year, evaluations for a single class in the certification year satisfy the requirements of
17 this Item.

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

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

23
24 *History Note: Authority G.S. ~~10B-4; 10B-8; 10B-14; 10B-134.21;~~*

25 *Eff. January 1, 2008;*

26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
27 *6, 2016;*

28 *Transferred from 18 NCAC 07B .0717 Eff. June 1, ~~2023;~~ 2023;*

29 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .1002 is adopted with changes as published in 38:09 NCR 579 as follows:

2

3 **18 NCAC 07E .1002 DEPARTMENTAL USE OF STUDENT EVALUATIONS**

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

8

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

10 *Eff. July 1, 2024.*

1 18 NCAC 07E .1101 is amended with changes as published in 38:09 NCR 579 as follows:

2
3 **SECTION .1100 – NOTARY INSTRUCTOR ~~RE-CERTIFICATION~~ RECERTIFICATION**

4
5 **18 NCAC 07E .1101 ~~ELIGIBILITY~~ INELIGIBILITY FOR ~~RE-CERTIFICATION~~**
6 **RECERTIFICATION AS NOTARY INSTRUCTOR**

7 A certified notary ~~public~~ instructor shall not be eligible for recertification as a notary ~~public~~ instructor if the ~~notary~~
8 ~~public~~ instructor:

- 9 (1) ~~Has failed to submit notary public student examination grades or notary public instructor evaluations~~
10 ~~to the Division as required by Rules .0716 and .0717 of this Chapter;~~
11 (2) ~~Has been subject to disciplinary action by the Division in relation to:~~
12 (a) ~~The performance of notary public duties pursuant to Chapter 10B of the General Statutes~~
13 ~~or this Chapter; or~~
14 (b) ~~The performance of notary public instructor duties; or~~
15 (3) ~~Has failed to comply with other requirements imposed upon a notary or notary public instructor~~
16 ~~pursuant to law or rule.~~
17 (1) no longer qualifies for initial commissioning as a notary public;
18 (2) has not taught at least two notary courses in each of the two immediately preceding instructor
19 certification years; or
20 (3) has failed to comply with other requirements imposed upon a notary or notary public instructor
21 pursuant to G.S. 10B-14 or the [Rules] rules in this Chapter.
22

23 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*

24 *Eff. January 1, 2008;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
26 *6, 2016;*

27 *Transferred from 18 NCAC 07B .0718 Eff. June 1, 2023- 2023;*

28 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .1102 is amended with changes as published in 38:09 NCR 579-580 as follows:

2
3 **18 NCAC 07E .1102 NOTARY PUBLIC INSTRUCTOR ~~RE-CERTIFICATION~~ RECERTIFICATION**
4 **REQUIREMENTS**

5 An applicant for recertification as a notary ~~public~~ instructor shall:

- 6 (1) ~~Complete~~ complete the Department's notary ~~public~~ instructor ~~application~~ recertification form
7 specified in 18 NCAC 07B .0418 and submit it to the ~~Department;~~ Department prior to lapse of
8 certification;
- 9 (2) ~~Comply with the requirements of Rule .0708 through Rule .0711 of this Chapter regarding~~
10 ~~verification of 12 months of experience performing notarial acts;~~ successfully complete the notary
11 instructor recertification course; and
- 12 ~~(3) Comply with the requirements of Rule .0713 of this Chapter regarding an oral presentation of a~~
13 ~~notary public course lesson;~~
- 14 ~~(5) Make a passing grade on the final examination in the notary public instructor certification~~
15 ~~recertification course as set forth in Rule .0714 of this Chapter;~~
- 16 ~~(6)(3) Except~~ except as otherwise provided in Rule .0705 of this Chapter, by G.S. 10B-14, pay the required
17 fee; and fee.
- 18 ~~(7) Submit an affidavit verifying that the applicant has taught the notary public instructor course at least~~
19 ~~twice a year during the two year certification period.~~

20
21 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*
22 *Eff. January 1, 2008;*
23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
24 *6, 2016;*
25 *Transferred from 18 NCAC 07B .0719 Eff. June 1, ~~2023;~~ 2023;*
26 *Amended Eff. July 1, 2024. March 1, 2025.*

1 18 NCAC 07E .1103 is amended as published in 38:09 NCR 580 as follows:

2

3 **18 NCAC 07E .1103 DENIAL OF NOTARY PUBLIC INSTRUCTOR CERTIFICATION OR RE-**
4 **CERTIFICATION EQUIVALENCE**

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

6 (1) For any reason for which an application for commissioning or recommissioning of a notary public
7 may be denied; or

8 (2) If an applicant no longer meets the requirements or fails to comply with the requirements to be a
9 certified notary public instructor.

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

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

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

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

16

17 *History Note: Authority G.S. 10B-4; 10B-8; 10B-14; 10B-134.21;*

18 *Eff. January 1, 2008;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
20 *6, 2016;*

21 *Transferred from 18 NCAC 07B .0719 Eff. June 1, ~~2023~~; 2023;*

22 *Amended Eff. July 1, 2024.*

1 18 NCAC 07E .1104 is adopted with changes as published in 38:09 NCR 580 as follows:

2

3 **18 NCAC 07E .1104 NOTARY INSTRUCTOR RECERTIFICATION COURSE ORAL**
4 **PRESENTATION**

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

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

15

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

17 *Eff. July 1, 2024.*

1 18 NCAC 07E .1105 is adopted with changes as published in 38:09 NCR 580 as follows:

2

3 **18 NCAC 07E .1105 NOTARY INSTRUCTOR WITH LAPSE IN CERTIFICATION**

4 (a) A certified notary instructor who has a lapse between certification terms shall comply with the requirements for
5 initial certification as a notary instructor.

6 (b) Notwithstanding Paragraph (a) of this Rule, if the lapse is for less than six months and the instructor otherwise
7 qualifies, the instructor:

8 (1) may take the recertification course instead of the initial certification course; and

9 (2) shall make an oral presentation during the course.

10

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

12 *Eff. July 1, 2024.*

1 18 NCAC 07E .1202 is adopted with changes as published in 38:09 NCR 580 as follows:

2

3

SECTION .1200 – INSTRUCTOR APPLICATION DENIALS

4

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

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

10

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

12 *Eff. July 1, 2024.*

1 18 NCAC 07E .1203 is adopted with changes as published in 38:09 NCR 580 as follows:

2

3 **18 NCAC 07E .1203 APPLICATION DENIAL – TERMINATION FOR CAUSE**

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

6

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

8 *Eff. July 1, 2024.*

1 18 NCAC 07E .1204 is adopted with changes as published in 38:09 NCR 580 as follows:

2

3 **18 NCAC 07E .1204 APPLICATION DENIAL – FAILURE TO SUBMIT EXAM GRADES**

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

7

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

9 *Eff. July 1, 2024.*

1 18 NCAC 07E .1205 is adopted with changes as published in 38:09 NCR 580 as follows:

2

3 **18 NCAC 07E .1205 APPLICATION DENIAL – DISCIPLINARY ACTION**

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

7

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

9 *Eff. July 1, 2024.*