

FLORIDA DEPARTMENT OF EDUCATION
AFFIDAVIT OF SEPARATION FROM SCHOOL DISTRICT EMPLOYMENT DUE TO
TERMINATION OR RESIGNATION IN LIEU OF TERMINATION

1. School District of _____ County 2. Date of Separation: _____
(MM/DD/YYYY)

3. Name of Separated Employee: _____
Last First MI

4. Last 4 Numbers of Social Security Number of Separated Employee: _____

5. Type of Separation: Separated due to termination Resigned in lieu of termination (Definitions on p. 2)

6. Is this separation due to a report or allegation of sexual misconduct with a student? Yes No (Definitions on p. 2)

7. Describe the facts and reasons for the separation. (Additional pages or documentation may be attached.)

8. _____
Print Name of District Employee Completing Form Title

9. _____
Affiant Date (MM/DD/YYYY)

Oath (Pursuant to Section 117.05(13)(a), Florida Statutes)

STATE OF FLORIDA COUNTY OF _____

Sworn to (or affirmed) and subscribed before me by means of Physical Presence or Online Notarization
this _____ day of _____ month, year 20_____, By _____

Signature of Notary Public – State of Florida Print, Type or Stamp Commissioned name of Notary Public

Personally Known OR Produced Identification _____
Type of Identification Produced

Notice: Section 1012.31(2)(a), Florida Statutes, requires the execution of an Affidavit of Separation by a school district when separation of an employee is due to termination or resignation in lieu of termination. The statute requires that the affidavit describe the reasons for separation and disclose when the separation is due to a report of sexual misconduct with a student. **Warning: Intentional false execution of this affidavit constitutes a misdemeanor of the second degree under Section 837.06, Florida Statutes.**

Instructions for Completing Affidavit of Separation From School District Employment Due to Termination or Resignation in Lieu of Termination

Use This Form When:

A school district employee is separated due to termination or resigns in lieu of termination, as defined in this form and Rule 6A-10.084.

Separated due to termination means termination of the employment relationship by the school district for cause. It does not include non-renewal of a professional, annual, or probationary contract unrelated to cause, to a workforce reduction or to another separation instituted by a school district unrelated to cause.

Resigned in lieu of termination means the voluntary separation or retirement by the employee after receiving any notice, whether formal or informal, that the school district intends to dismiss or seek removal of the employee for circumstances that constitute cause or resignation or retirement by the employee while under investigation for sexual misconduct with a student.

Sexual misconduct with a student means any behavior or act, whether physical, verbal or electronic, by a person in a covered position with a prekindergarten through 12th grade student, regardless of the age or consent of the student, which is intended to erotically stimulate either person or which is likely to cause such stimulation. Examples of sexual misconduct with a student can include all of the following conduct:

1. Making lewd or lascivious remarks to a student or performing such acts in the presence of a student;
2. Kissing a student, intentionally touching a student's breast(s) or sexual organs, regardless of whether the student is clothed;
3. Sending, providing or exchanging nude or semi-nude pictures with a student or a request for the same; and
4. Any attempt to engage, or offer to engage, a student in any behavior or act which would constitute sexual misconduct with a student, if completed.

How to Complete Each Item:

1. School District. Enter the name of the school district.
2. Name. Enter the separated employee's legal last and first name. Include middle initial if available.
3. Social Security Number. Enter the last four digits of the separated employee's social security number.
4. Type of Separation. Place a check mark in the applicable box.
5. Sexual Misconduct with a Student. Place a check mark in the applicable box to indicate whether or not separation is due to a report or allegation of sexual misconduct with a student.
6. Date of Separation. Enter the date of separation by month, day and year.
7. Description of Reasons for Separation. Include a description of the facts and reasons for separation.
8. Name/Title of School District Affiant. Print the name and title of the school district employee who executes the affidavit.
9. Affiant Signature/Date. The school district employee who executes the affidavit must sign his name and enter the date.
10. Notary. A notary public must complete the oath portion of the form.