

FLORIDA CONFERENCE OF CATHOLIC BISHOPS

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August 7, 2026

The Honorable James Uthmeier
Attorney General, State of Florida
PL-01, The Capitol
Tallahassee, FL 32399-1050

Dear Attorney General Uthmeier:

This letter is in response to your July 31, 2026, letter asking me to address whether Catholic schools in Florida grant requests for a religious exemption to student vaccination requirements contained in Florida statutes.

As explained in detail below, the Florida Conference of Catholic Bishops (FCCB) and the Catholic bishops in Florida do not have to justify to your office their position on Catholic teaching and their reasons for the current vaccine policies. They will, however, do so out of respect for you and your office and with the understanding and expectation that your office will respect the Catholic bishops' constitutional rights and religious freedom.

While we appreciate the opportunity to present the rationale for school vaccine policies, we wish we could have met and discussed these concerns with your office and perhaps avoided all the public and legal posturing created by your correspondence requesting a response in seven days.

We share a common interest with your office in protecting the approximately 95,000 students under our diocesan schools' care, as well as the health and safety of those teachers, staff, and parents (including those with unborn children) who interact with our schoolchildren. And the bishops and your office also share respect for the law and all constitutional rights.

Where we differ is on your interpretation and application of Catholic teaching, an interpretation (and right) exclusively vested, by United States and Florida constitutional law, in the bishops of Florida's dioceses.

Respectfully, any insinuation that a government official can dictate to the Catholic Church (or any religion) how to apply her tenets and dogma, violates well-established constitutional religious freedom rights. It is beyond cavil that the bishops, not the state, decide how to interpret and apply Catholic principles and theology.

For this reason, and the undisputed law below, we are prepared to protect our students, defend our rights, and preserve religious freedom.¹ While we are confident in our position, we remain willing to meet with you or your staff to see if there is a productive and amicable way to resolve our differences.

¹ While I am responding in good faith on behalf of the FCCB and the Florida dioceses, neither the fact of responding nor the contents of this response waives the FCCB's and the dioceses' constitutional and statutory rights. All arguments and rights are preserved, whether stated in this response *vel non*.

A. The Hierarchical Structure of the Catholic Church

A few preliminary, critical facts before addressing the question raised in your letter.

As your office knows, the hierarchy of the Catholic Church consists of the Pope, bishops, priests, and laity. In the ecclesiastical sense of the term, “hierarchy” strictly means the “holy ordering” of the Church, the Body of Christ. Each diocese in the Catholic Church is headed by a bishop, and the role of the bishop is to provide pastoral governance to the faithful of his particular diocese.

In addition to the Archdiocese of Miami, the other dioceses in Florida are the Dioceses of Orlando, Palm Beach, St. Augustine, St. Petersburg, Pensacola-Tallahassee, and Venice. With this well-recognized, hierarchical religious structure in mind, I will now turn to the Florida bishops’ position on school vaccines, and the constitutional implications raised in your letter.

B. The Bishops’ Position on School Vaccine

Interpreting Catholic teachings can be a formidable undertaking and it is not uncommon for there to be strong differences of opinion among Catholics on issues of how to practice one’s faith and apply teachings. The bishops of Florida recognize that the subject of vaccines is one such issue, and that there are strong sincerely held beliefs among some Catholics about whether it is morally acceptable for them or their children to receive a vaccination based upon how the vaccine was developed. But being a hierarchical church, it is the role of the bishop to provide guidance to Catholics and to establish policies in his diocese on such issues.

As you noted, Catholic diocesan schools in Florida do not accept religious exemptions from school vaccination requirements. The basis for the bishops’ position is rooted in the desire to protect the common good and to encourage the proportional benefits of utilizing vaccines. This position is rooted in our Catechism: “Life and physical health are precious gifts entrusted to us by God. We must take reasonable care of them, taking into account the needs of others and the common good.” Catechism at §2288. Catholics and others raise ethical concerns with vaccines derived from aborted fetal cells. In a 2017 document, the Pontifical Academy for Life, along with the Italian Bishops’ Conference, issued *Clarification on the Medical and Scientific Nature of Vaccination*. It notes declining vaccination rates, encourages vaccination, and concludes:

We believe that all such clinically recommended (vaccines) can be used with a clear conscience and that the use of such vaccines does not signify some sort of cooperation with voluntary abortion. While the commitment to ensuring that every vaccine has no connection in its preparation to any material originating from an abortion, the moral responsibility to vaccinate is reiterated in order to avoid serious health risks for children and the general population.

You also raise concerns for the conscience of parents. Again, Catholic teaching is consistent: “danger to the health of children could permit parents to use a vaccine which was developed using cell lines of illicit origin, while keeping in mind that everyone has the duty to make known their disagreement and to ask that their healthcare system make other types of vaccines available.” *Dignitas Personae* at ¶35. Vaccinating a child—even with a vaccine developed or tested using historically abortive-derived cell lines—is morally permissible because the parent is not cooperating with the original immoral act and the protection of the common good provides a proportionate reason. Nevertheless, if a parent’s sincere conscience does not allow them to vaccinate their children against diseases prevented by vaccines associated with abortion-derived

cell lines, then those parents are free not to vaccinate their children. The exercise of conscience, however, should not be confused with a claim to an exemption from policies, and parents who do not vaccinate their children are free to choose a different educational path for their children. Catholic virtual schooling and home schooling are among them.

The bishops of Florida understand that some Catholics may continue to disagree with these policies. They continue to advocate for alternative vaccines, but until those vaccines are developed, the bishops cannot ignore the safety of children and staff in our Catholic schools. It is worth noting that among the persons placed at risk from a contrary policy include students who are not able to be vaccinated because of an existing medical condition. It is safe to say that Catholic schools might be one of the few safe havens for such children. Similarly, the bishops are concerned that expectant teachers and other staff would be placed at significantly increased risk of harm from preventable diseases should students be allowed to obtain a religious exemption from vaccines. Elderly parents and grandparents, who often visit diocesan schools, could also face greater risks. The bishops desire to protect all these individuals, and that desire comports with Catholic teaching.

C. Applicable Laws and Constitutional Rights Implicated in Your Letter

Your letter asks the FCCB to explain “the religious grounds” justifying the policy of Catholic schools to decline to recognize religious exemptions and suggests the state may evaluate whether the Church possesses a sufficiently compelling theological basis for doing so. That inquiry is foreclosed by the First Amendment.

The Religion Clauses of the First Amendment provide that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof[.]” U.S. Const. amend. I. Together, these clauses protect a religious organization’s right to define and govern its own faith and mission while “prohibit[ing] governmental involvement in such ecclesiastical decisions.” *Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC*, 565 U.S. 171, 188-189 (2012). At the heart of the “church autonomy doctrine” is the “right of religious institutions ‘to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.’” *Our Lady of Guadalupe School v. Morrissey-Berru*, 591 U.S. 732, 737 (2020) (quoting *Kedroff v. St. Nicholas Cathedral of Russian Orthodox Church*, 344 U.S. 94, 116 (1952)).

The constitutional defect in your office’s inquiry is, therefore, not merely the conclusion it posits, but the inquiry itself. Whether Catholic doctrine requires, permits, or disfavors a particular exemption is a religious question entrusted to Catholic authorities, not state officials. The government may not decide that Church teaching is insufficiently religious, insufficiently consistent with Catholic doctrine, or insufficiently compelling to justify an ecclesiastical policy. Nor may it require Church leaders to defend their interpretation of Catholic doctrine before civil authorities as a condition of operating religious schools.

Indeed, your letter acknowledges a religious school may be exempt from a state requirement if compliance would conflict with the school’s religious tenets. Yet, the First Amendment prevents the State from proceeding to the next step and determining for itself what Catholic doctrine actually requires. The church autonomy doctrine exists precisely to prevent civil authorities from adjudicating such disputes. As the Supreme Court has explained, religious organizations must remain free from state interference in matters concerning faith, doctrine, and internal governance. *Our Lady of Guadalupe School v. Morrissey-Berru*, 591 U.S. at 737.

Moreover, while your letter acknowledges *Flynn v. Estevez*, 221 So. 3d 1241 (Fla. 1st DCA 2017), allows a Catholic school to claim an exemption from Florida's statutory requirement to honor parental religious objections, your letter suggests that right exists only where granting such objections would violate the school's own religious tenets. Respectfully, *Flynn* stands for a broader and more fundamental principle: civil authorities may not compel a Catholic diocese or Catholic school to alter a policy the Church has adopted on religious grounds, nor may government officials decide whether the Church's asserted religious rationale is sufficiently compelling, sufficiently consistent with Catholic doctrine, or otherwise theologically correct.

The central holding of *Flynn* was that the church autonomy doctrine barred judicial intervention into a dispute concerning a diocesan vaccination policy, notwithstanding the existence of Florida's statutory religious exemption. 221 So. 3d at 1251-1253. The *Flynn* court expressly held the Diocese's constitutional rights prevailed over the statutory claim asserted by a parent seeking admission of an unvaccinated child and that courts were required to abstain from deciding which competing religious views should prevail. *Id.* at 1249.

Your letter appears to invite precisely the inquiry that *Flynn* forbids by asserting Catholic schools possess "no legitimate religious reason" to deny religious exemptions and requesting that the bishops identify and justify the religious grounds supporting any contrary policy. But *Flynn* emphasizes that civil authorities are not empowered to determine whether a church's position is rooted in a sufficient scriptural text, tenet, or doctrinal source. *Id.* at 1251. To the contrary, the court rejected the argument that a diocese must provide "adequate proof" of the theological foundations of its policy and held that secular tribunals may not adjudicate competing interpretations of Catholic teaching. *Id.*

Notably, Judge Bilbrey's concurrence explained the church autonomy doctrine applies whenever a church has taken a position on religious grounds and that any statutory rights otherwise available under section 1003.22(5)(a) are "of no consequence under the doctrine" when they conflict with the Church's constitutionally protected authority to govern its internal affairs. *Id.* at 1253.

The question is not whether state officials (or your office specifically) agree with a Catholic school's understanding of Church teaching regarding vaccination, conscience, parental authority, the common good, or religious accommodation. Under *Flynn*, those are ecclesiastical matters committed to the Church itself. *Id.* at 1251-1252.

Whether Catholic educational institutions should recognize particular exemption requests necessarily implicate questions of religious teaching, moral theology, ecclesiastical authority, and the mission of Catholic education. Those are matters entrusted to the Church alone. Government officials may no more determine the content of Catholic teaching than Church officials may determine the content of Florida law.

Accordingly, the First Amendment's church autonomy doctrine precludes the State from demanding that Catholic institutions justify their religious judgments or from evaluating the theological validity of those judgments. The Constitution bars civil authorities from resolving such ecclesiastical questions, regardless of whether they agree or disagree with the Church's conclusions.

D. Attempting to Deprive Parents from Using State Scholarships at Catholic Schools Also Violates the Law.

Your office's assertion that the failure of Catholic parochial schools to allow religious exemptions for vaccines could jeopardize parents' ability to utilize state educational scholarships at those schools is far from hallow and legally incorrect. The state cannot disqualify Catholic schools from the scholarship program merely because a state official's views differ from the bishops' views. There are several reasons why such a position does not pass muster.

First, in subsection 1002.42(2)(h), Florida Statutes, the Florida Legislature expressly states that "[i]t is not the intent of the Legislature to regulate, control, or monitor, expressly or implicitly, churches, their ministries, or religious instruction, freedoms or rites." Given that unequivocal statement of legislative intent, it would be incongruous to interpret a statute authorizing a religious exemption to require a religious school to adopt a vaccine policy that conflicts with its beliefs.

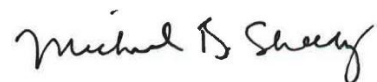
Further, the implication that Catholic schools must accept religious exemptions or risk losing scholarship funding is not well founded. While Florida may enforce valid, neutral eligibility requirements for state educational scholarship program, it may not condition a Catholic school's participation on a particular interpretation of its own religious teachings. As the Supreme Court unanimously held in *Catholic Charities Bureau, Inc. v. Wisconsin Labor & Industry Review Commission*, 605 U.S. 238, 254 (2025): "When the government distinguishes among religions based on theological differences in their provision of services, it imposes a denominational preference that must satisfy the highest level of judicial scrutiny," and therefore the threatened loss of scholarship eligibility based on a finding that Catholic schools lack a "legitimate religious reason" would impermissibly condition a government benefit on acquiescence in the State's theological judgment. Accordingly, any decision affecting scholarship eligibility must rest exclusively on neutral statutory criteria.

Conclusion

I trust that this letter suffices to respond to your inquiry. Our bishops periodically evaluate their positions on vaccines and communicate those positions to their communities. But they will not succumb to affronts to religious freedom. That said, we are certainly willing to engage in further discussions if you desire. Sometimes a simple meeting can resolve differences.

May God continue to bless you and all public servants.

Sincerely Yours in Christ,



Michael B. Sheedy

cc: Dr. Henry Mack, Commissioner of Education
Catholic Bishops of Florida
Stephen C. Emmanuel, FCCB General Counsel