

# Can We Talk About Schools?

# Should REALTORS® talk to clients about schools and school ratings?

- Some buyers use the quality of neighborhood schools as a key factor in choosing a property.
- However, REALTORS®, need to be mindful of potential fair housing and discrimination issues related to this subject.
- Investigations have shown how a discussion about school quality has been used as a substitute or code for demographics of the neighborhood, which is both illegal and unethical for REALTORS.

# What school information is appropriate to convey?

- Only **objective** information about the school from a reliable 3rd party site (preferably a governmental agency) should be conveyed.
- Subjective labeling such as “good” vs “bad” school should be avoided.
- There are potential problems with relying upon simple numerical ratings assigned by some third parties because those scores may not be objective, or may not reflect relevant factors important to some buyers, or may overly rely on standardized test scores alone and thus may lead to inaccurate or biased information being conveyed which negatively impacts sellers and buyers.



## Where can REALTORS® find objective information about schools and how can it be shared?

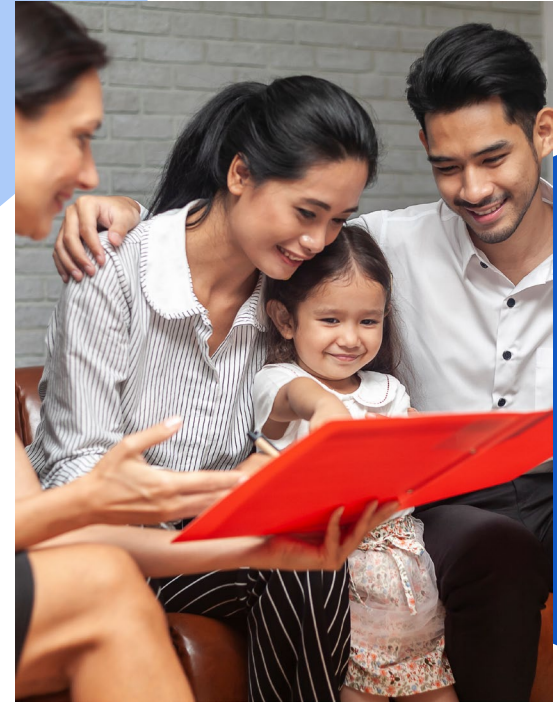
- The California Department of Education provides a School Accountability Report Card (SARC) for K-12 schools in California. The information can be easily accessed on [School Accountability Report Card \(SARC\) \(CA Dept of Education\)](#).
- In addition, a parent should be encouraged to further investigate with the school itself as many maintain their own websites that may provide a more comprehensive view of the school's curriculum.
- Contacting the school may result in more individualized investigation. What may be a great fit and great school program for one child may not be the same for another.

# If school information is improperly discussed, the following fair housing violations are possible:

**Steering:** Directing buyers away or towards a specific neighborhood based on its demographics.

Discussions about school and crime are often substituted for discussion about neighborhood demographics. It is illegal to more negatively emphasize undesirable characteristics i.e. exaggerating low quality of school than is true to persuade buyer away from certain properties.





Unequal Treatment: Information is not shared in same manner to all people. All information should be conveyed in an **equal manner** to all prospective clients. **Consistency** is key. Having different treatment or approaches for different clients is problematic, whether done intentionally or inadvertently.



Discriminatory Effect: Even a policy that is neutral on its face and created without discriminatory intent can lead to disparate impact or perpetuation of segregation.



# How should REALTORS® address clients who only wants to see properties in school districts with X rating or higher?

**1** Educate the client on what the ratings may or may not mean by addressing whether the rating is primarily based on test scores, is current, accurate and objective, and considers the individualized needs of the client's family.

**2** Give the client, or direct the client to, objective information, such as a School Accountability Report Card.

**3** Advise the client to investigate with school websites and school visits.





# Additional Resources



## Quick Guide

[Can We Talk About Schools?](#)



## Q&A

[Summary of Fair Housing Laws](#)



## Legal Tools May 2022

[Fair Housing Advertising Rules](#)