

**Question for written answer E-001651/2021
to the Commission**

Rule 138

Rasmus Andresen (Verts/ALE)

Subject: EU legislation concerning the schools attended by the children of cross-border commuters

The area along the Danish-German border is characterised by a spirit of good neighbourliness and a long history of cross-border cooperation. In recent years, a growing number of cross-border commuters resident in Denmark who would like to send their children to schools in Germany have experienced problems with the assumption of the costs.

1. Does the Commission take the view that, on the basis of Article 45(1) and (2) of the Treaty on the Functioning of the European Union and of Article 7(1) and (2) of Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union, the same rules and conditions on school attendance should apply to cross-border commuters and their children as to the inhabitants of the country where the school is located?
2. In the Commission's view, what are the criteria which govern the right to attend a school in a neighbouring Member State? Are there special provisions applicable to the children of cross-border commuters?
3. Given the situation described above, does the Commission consider that Article 119(4) of the school law of Schleswig-Holstein, which concerns the calculation of subsidies for 'substitute' schools [a kind of private school] and presupposes residence in Schleswig-Holstein, is compatible with the applicable EU legislation?