§ 152. Educational requirement. 1. A child performer shall fulfill educational requirements as set forth in part one of article sixty-five of the education law. If a child performer is unable to meet such educational requirements due to his or her employment schedule, the employer shall be required to comply with subdivision two of this section.

2. (a) Any person, or agent or officer employing, either directly or indirectly through a third person, a child performer certified pursuant to this article shall provide a teacher, who is either certified or has credentials recognized by the state of New York, to such child performer to fulfill educational requirements pursuant to the education law. Such child performer shall not be declared absent from school while working pursuant to the permit requirement in accordance with this article. The requirements of this section shall only be applicable when the child performer is not receiving educational instruction due to his or her employment schedule.

(b) A child performer receiving educational instruction pursuant to this subdivision, and such child's parents or guardians, shall work with the certified teacher provided to the child performer and the child's school of enrollment to fulfill such educational requirements.

3. No minor having a permit to work issued by the department and no minor under eighteen years of age, who is otherwise required by law to be enrolled and attend school, shall be without educational instruction and unemployed for a period longer than ten consecutive days while the school of enrollment is in session.