South Dakota Disadvantaged Business Enterprise
Personal Narrative (PN) Guidance

Purpose

To participate in the South Dakota Department of Transportation (SDDOT) Disadvantaged Business Enterprise (DBE) or Airport Concession Disadvantaged Business Enterprise (ACDBE) Program, each applicant-owner must independently demonstrate social and economic disadvantage (SED) based on their individual experiences and circumstances within American society. Demonstrated SED must be without reliance on any presumptions related to race or sex. To satisfy this requirement, an owner must submit to the SDDOT a Personal Narrative (PN) that affirms and substantiates the existence of such disadvantage.

For new DBE/ ACDBE applicants, the PN should be included with their Uniform Certification Application (UCA), Personal Net Worth (PNW) statement, and all other supporting documents identified in the UCA. For in-state DBE firms seeking reevaluation, the owner must submit a PN and an updated PNW statement.

This guide provides insight into the elements that should be included when demonstrating social and economic disadvantage in your PN.

Definition

The definition of a socially and economically disadvantaged individual is any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who a certifier finds to be socially and economically disadvantaged on a case-by-case basis. A determination that an individual is socially and economically disadvantaged must not be based, in whole or in part, on any presumptions sounding in race or sex. For that reason, all owners may qualify as socially and economically disadvantaged only if they meet the relevant criteria described in § 26.67.

Key Elements of a Social and Economic Disadvantage Narrative

To demonstrate social and economic disadvantage, a business owner(s) should include the following elements:

1) Demonstrate that the owner(s) is socially and economically disadvantaged based on his/her own experiences and circumstances that occurred within American society, and without any presumptions based on race or sex.

2) Submit to the certifier a personal narrative establishing that the existence of disadvantage is more likely to be true than not true based on individualized proof regarding specific instances of:

    a) economic hardship, social barriers, or denied opportunities that impeded the owner's progress or success in education, employment, or business, including obtaining financing on terms available to non-disadvantaged individuals with comparable qualifications. These may include:

i) Education:

(1) Denial of access to institutions of higher education or vocational training;
(2) Exclusion from social and professional associations with students and teachers;
(3) Denial of educational honors otherwise rightfully earned;
(4) Being discouraged from pursuing certain educational opportunities or degrees;

ii) Employment:

(1) Discrepancies in hiring, promotions, professional advancement, or pay;
(2) Being pressured into non-professional or non-business related fields;
(3) Retaliatory behavior by employers;

iii) Business history:

(1) Obtaining credit or capital under commercially unfavorable circumstances *(e.g., requiring additional collateral)*;
(2) Unequal treatment by potential customers or business associates;
(3) Denial of bonding despite meeting financial or industry thresholds;
(4) Exclusion from business or professional organizations;
(5) Unequal treatment in opportunities for government contracts or other work.

3) Identify at least one objective (factual) basis for the owner's disadvantaged status. The basis may be any identifiable status or condition. Describe this objective distinguishing feature (ODF) in sufficient detail to justify the owner's conclusion that it prompted economic hardship, social barriers, or denied opportunities that the owner claims to have experienced.

4) State how and to what extent the impediments caused the owner economic harm, including a full description of type and magnitude.

5) The PN may discuss incidents and experiences of economic hardship, social barriers, and denied opportunities from any point in the owner's life within American society that impeded the owner's progress or success in education, employment, or business opportunities, including obtaining financing on terms available to non-disadvantaged individuals with comparable qualifications. Owners may recount specific incidents of race or sex discrimination only if the claim of social and economic disadvantage is based strictly on the owner's individualized experiences and not on group-based presumptions. The PN should reflect a pattern of specific instances of discrimination and demonstrate that the disadvantage was chronic and substantial, not isolated or fleeting.

6) An owner neither needs to have filed a formal complaint of discrimination nor provide independent corroborating evidence for every incident described in the PN. However, the owner must establish social and economic disadvantage by a preponderance of the evidence. The PN therefore must provide individualized evidence of the circumstances giving rise to the claimed disadvantage and

explain how those circumstances caused actual economic harm. Where available, documents or other information that corroborate the owner's account, such as correspondence, records of denied opportunities, or formal complaints, may be considered and may strengthen the showing. The absence of independent corroborating documentation does not, by itself, require denial of a claim. However, an owner's generalized or conclusory assertion of discrimination or disadvantage, without sufficient individualized facts to establish the claimed discrimination and resulting economic harm, is insufficient.

For each incident, please describe who, what, where, why, when, and how the barrier occurred. Incidences are more comprehensible if they provide information in the following order within a narrative stucture:

When – Explain when the barrier was experienced. Exact dates, where available, are preferred but are not necessary so long as the incident provides a specific timeframe. This can be from any period of your life.

Where – Describe where the barrier was encountered. The incident must have occurred in American society.

Who – Describe the individual(s) or entity(ies) responsible for the barrier you encountered. This could include a single individual, a group of individuals, or an institution. Individual names, where available, are preferred but not necessary so long as the incident provides a specific figure or organization.

What – What obstacle or barrier did you experience, and how did it affect you?

Why – Explain why you believe the barrier you experienced was more likely the result of unfair treatment than a neutral or routine explanation. Without additional facts, a mere assertion that the action was the result of bias or favoritism will not be enough to support a claim of social disadvantage.

How – Explain how the barriers you faced impacted your professional opportunities or career progression. Offensive comments or conduct, while reprehensible, will not support a claim of social disadvantage if there is no negative impact associated with the incident.